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Security Council

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Letter dated 1 April 2010 from the Permanent Representative of Japan to the United Nations addressed to the Secretary-General

I have the honour to convey to you herewith a concept paper for the Security Council debate on the implementation of the measures set out in the note by the President of the Security Council (S/2006/507), to be held on 29 April 2010 (see annex).

I should be grateful if the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Yukio **Takasu**
Ambassador and Permanent Representative of
Japan to the United Nations

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Annex to the letter dated 1 April 2010 from the Permanent Representative of Japan to the United Nations addressed to the Secretary-General

Open debate on the implementation of the measures set out in the note by the President of the Security Council (S/2006/507)

Concept paper by the presidency of the Security Council

A. Overview

1. The Security Council is mandated under Article 24 of the Charter of the United Nations to ensure prompt and effective action on behalf of all Member States in order to maintain international peace and security. The Members of the United Nations, under Article 25 of the Charter, agree to accept and carry out the decisions of the Council. With five permanent members and 10 elected non-permanent members, the composition of the Security Council is like that of no other institution within the United Nations system. It carries great responsibility. At the same time, the standing of the Council in the international community is, at least to some extent, either enhanced or diminished by perceptions of the transparency, efficiency and inclusiveness of its working methods.

2. The working methods of the Security Council are important to meet these two, sometimes conflicting, requirements: first, to make decisions that will ensure prompt and effective action to maintain international peace and security; and second, to gain the support of the wider United Nations membership for such decisions of the Security Council.

3. The Security Council has made progress in enhancing the efficiency and transparency of its work, as well as interaction and dialogue with non-members of the Council. The adoption of S/2006/507 and subsequent notes by the President related to working methods is notable. Article 30 of the Charter stipulates that the Council shall adopt its own rules of procedure and the Council should continue to work to improve its working methods. At the same time, there is great interest in the working methods from the general membership as can be seen in the number of Member States that participated in the last open debate on working methods of the Security Council in August 2008. The next open debate will provide an opportunity for members of the Council as well as the general membership to express their views and interact on this issue.

B. Objective of the debate

4. The purpose of the open debate scheduled for 29 April is to assess the implementation of the measures set out in the annex to S/2006/507, with a view to improving their implementation, taking into account, inter alia, the issues raised in the debate in August 2008, as well as recent Security Council practices. In order to have a useful discussion, the debate should focus on the three areas of transparency, interaction with non-members and efficiency, which are of key importance to Council members and non-members alike. Some illustrative examples of the issues on which the discussions could focus are given below.

5. Practical suggestions on how to improve the working methods of the Security Council are encouraged. Japan intends to follow up the discussions in the open debate in the Informal Working Group on Documentation and Other Procedural Questions, of which it serves as Chair.

C. Possible issues for discussion at the open debate

Transparency

6. The Security Council has recently taken various steps in making its work more transparent to non-members:

- The now established uniform practice of new Council Presidents briefing non-member States shortly after the adoption of each month's programme of work
- Greater coverage of the work of the various subsidiary bodies, including through a now almost universal practice of their issuing written annual reports and through expanded records of their work in the annual report of the Security Council to the General Assembly and on the Security Council web pages
- A measurable increase in the level of detail included in the introduction to the annual report, which has almost doubled in length in the past two years
- The now widespread practice of each Council presidency preparing a published assessment of its presidency, which, although issued under its sole responsibility, expands the information available on the problems faced by the Council in its work and how these have been approached

7. Challenges remain. How to keep the non-members informed of the activities of the Security Council in a timely manner, while recognizing the need for informal discussions among Council members to make decisions for prompt and effective action, continues to be a challenge. The degree to which the presidency briefs the non-members on the activities of the Council depends from presidency to presidency. What factors play into such variance and could there be remedies that would optimally meet the needs of both Council members and non-members? The note by the President (S/2006/507) contains several working methods to make such information-sharing more systematic, and participants in the open debate may wish to comment on ways to enhance their implementation.

Interaction and dialogue with non-members

8. The Security Council has made progress in its interaction with the non-member States in carrying out its work. Open meetings regularly allow participation of parties that have a direct interest in an issue. The Council has used the wide variety of options available to it to have interaction with the broader United Nations membership. The Council has strengthened its interaction with troop- and police-contributing countries, taking into account the paper on charting a new horizon for United Nations peacekeeping of the Departments of Peacekeeping Operations and Field Support. The Security Council has also strengthened interaction with regional organizations. The Council has sometimes resorted to informal dialogues with interested parties to interact and to seek their views. During

the past two years, the Council members responsible for drafting the introduction to the Council's annual report have taken the initiative to discuss the introduction with non-members, such as Viet Nam in 2008 and Uganda in 2009. The Security Council now regularly invites the Chairperson of the Peacebuilding Commission or chairs of the country-specific configurations of the Peacebuilding Commission to brief the Council. The Council invited the newly appointed Special Representative of the Secretary-General for Afghanistan, Staffan de Mistura, to consultations to engage in dialogue with the members of the Council, in an effort to engage the Special Representatives from early on.

9. Challenges remain. Some Member States have called for even wider participation in open meetings of the Security Council. Some are of the opinion that the Council needs to engage and seek the views of interested parties even more when considering an issue. The Security Council continues to seek better ways to interact and have dialogue with non-members.

Efficiency

10. The workload of the Security Council and its subsidiary organs is daunting in terms of its complexity, urgency and scope. In order to adequately deal with this workload, the Council needs to reflect on its working methods continuously to improve its efficiency. The comprehensive review of the current items on the Council's agenda is one such example. Although many of the issues related to efficiency may be regarded as primarily affecting the members of the Security Council, all United Nations Member States stand to gain from maximizing the efficiency of the Council in carrying out its Charter-mandated responsibilities. Discussions on such issues can also be a part of greater information-sharing, with the wider membership, on the Council's internal workings.

11. The length of statements during public meetings continues to be a challenge. The Security Council, in S/2006/507, encourages both members and non-members of the Council to deliver their statements in five minutes or less and each briefer to limit initial remarks to 15 minutes. Long public meetings have the potential to impede the efficient work of the Council and, instead of increasing the importance given to the issues discussed, can risk making those issues appear routine. Also, timely circulation of the reports prepared by the Secretary-General to Council members as well as to troop-contributing countries is important for the efficient work of the Council. The Council and the Secretariat are working together to ensure this.

12. Each year, five non-permanent members rotate in and out of the Council. How soon new members adjust to the work of the Council affects Council work, especially early in the year. For many elected members, learning the procedural aspects of the Security Council is a challenge. The provisional rules of procedure of the Security Council (S/96/Rev.7) set out the rules of the Council as they apply to the official meetings of the Council. The note by the President (S/2006/507) provides recommendations for the working methods of the Council in covering different dimensions of its work. Other helpful resources include the *Repertoire of the Practice of the Security Council*, which features applications and interpretations of the provisional rules of procedure by the Council since its inception, and the volume of *Resolutions and Decisions of the Security Council*. Currently, as decided in S/2006/507, newly elected members have six weeks to observe the Council and

its subsidiary bodies. What continue to be the challenges for incoming elected members and what can be done to address these challenges?'

13. In recent years, the Council has broadened the formats and tools it uses to address conflicts or potential conflict situations, including informal interactive dialogues, meetings of experts, including with military officials of the Secretariat, quiet diplomacy by the President of the Council, wider contacts on Council missions to the field with individuals and groups beyond those representing Governments, closer cooperation and coordination of its efforts with those of the Secretary-General, and the introduction of new elements to the mandates of peacekeeping and political missions. The work of the Security Council should be assessed in the light of how effectively it deals with various issues that relate to the maintenance of international peace and security.

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First report of the Secretary-General pursuant to paragraph 3 of resolution 1905 (2009)

I. Introduction

1. The present report is submitted pursuant to paragraph 3 of Security Council resolution 1905 (2009), in which the Council requested me to provide written reports to the Council on a quarterly basis, with the first report no later than 1 April 2010, to include details on progress made in strengthening financial and administrative oversight of the current Development Fund for Iraq, as well as details on the legal issues and options to be considered with respect to implementing successor arrangements for the Fund and an assessment of the progress of the Government of Iraq in preparing for such arrangements.

II. Background

2. The Development Fund for Iraq established pursuant to Security Council resolution 1483 (2003) holds the proceeds of oil export sales from Iraq, as well as the transferred balances from the United Nations oil-for-food programme and transfers by Member States of funds or other financial assets or economic resources of the former Iraqi regime, its senior officials and their immediate family members, including entities owned or controlled, directly or indirectly, by them or by persons acting on their behalf or at their direction.

3. In 2003 the Security Council also decided that all export sales of petroleum, petroleum products and natural gas from Iraq should be made consistent with prevailing international market best practices, to be audited by independent public accountants reporting to the International Advisory and Monitoring Board in order to ensure transparency, and that all proceeds from such sales, except as provided in paragraph 4 below, should be deposited into the Development Fund for Iraq.

4. The Security Council further decided that 5 per cent of the proceeds referred to in paragraph 3 above should be deposited into the Compensation Fund established in accordance with Security Council resolution 687 (1991).

5. The International Advisory and Monitoring Board, as the audit oversight body for the Development Fund for Iraq, was established to fulfil the mandate set forth in Security Council resolution 1483 (2003). This mandate has been subsequently extended under resolutions 1546 (2004), 1637 (2005), 1723 (2006), 1790 (2007),

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1859 (2008) and 1905 (2009). In resolution 1905 (2009), the Council also extended until 31 December 2010 the immunity of the proceeds from the sale of petroleum, petroleum products and natural gas deposited in the Fund.

6. The International Advisory and Monitoring Board has met 27 times since December 2003, including twice in 2009. All documentation, including press statements, the minutes of all Board meetings, completed audit reports and key documents related to the Board's mandate and operations continue to be available on the Board's website at www.iamb.info.

7. In 2006, the Council of Ministers of Iraq established the Committee of Financial Experts to work alongside the International Advisory and Monitoring Board and take over the tasks of the Board in monitoring the Development Fund upon the expiration of the Board's mandate. Since its inception, the Committee has been working closely with the Board and attending all of its meetings. The Committee itself meets regularly and has acquired an increasing role in the follow-up to and implementation of recommendations contained in the independent audit reports commissioned by the Board.

8. The issues covered in the present report were on the agendas of the recent meetings of the Advisory Board held in Washington, D.C., on 16 December 2009 and in Amman on 31 January 2010, and reflect recent activities with regard to both the Board and the Development Fund for Iraq.

III. Recent activities with regard to the Development Fund for Iraq and the International Advisory and Monitoring Board

9. In accordance with the terms of reference of the International Advisory and Monitoring Board, the nomination and appointment by the Government of Iraq of the external auditor for the Development Fund for Iraq is subject to approval by the Board.

10. In September 2009, the Board approved the audit appointment process and concurred with the recommendation of the Government of Iraq to appoint KPMG to conduct the 2009 audit of the Development Fund, including an interim review for the period from 1 January to 30 June 2009.

11. At the meeting held in Washington, D.C., the Advisory Board reviewed draft interim statements of cash receipts and payments for the Development Fund and the oil proceeds receipts account. The Board was also briefed by KPMG on the results of its interim work. The interim report reiterated earlier findings about the reporting of revenues in the Fund's statement of cash receipts and payments. A summary of the results of the KPMG interim report is available on the websites of both the Advisory Board (www.iamb.info) and the Committee of Financial Experts (www.cofe-iq.net).

12. At the meeting held in Amman, the Advisory Board was informed that the audit was well under way and that the external auditor, KPMG, expected to issue a comprehensive summary and brief the Board when it met in late April 2010.

13. With regard to the 2010 audit, at the same meeting in Amman the Committee of Financial Experts briefed the Advisory Board on the proposed evaluation process

to select an external audit firm to conduct the 2010 audit of the resources and disbursements of the Development Fund.

14. The representative of the Government of Iraq to the International Advisory and Monitoring Board, the President of the Board of Supreme Audit and the representative of the Committee of Financial Experts provided regular briefings to the Advisory Board on progress in implementing its earlier recommendations, as well as on progress in implementing recommendations contained in the audit reports commissioned by the Advisory Board.

15. In order to enhance the transparency and accountability of the Development Fund for Iraq, the Committee of Financial Experts has published monthly summaries of the Fund's cash inflows and outflows on its website.

16. In addition, the Committee has finalized a time-bound action plan to implement a comprehensive oil-metering system, which is scheduled to become fully operational by the end of 2011, except at one company for which it will be completed by 2012. The action plan to implement the comprehensive oil-metering system, as well as its implementation status, is available on the websites of both the Advisory Board and the Committee.

17. In this respect, I welcome the detailed update from the Committee and strongly urge the full implementation of the action plan as envisaged by the Government of Iraq.

18. In January 2010, the Controller of the United Nations, Jun Yamazaki, my designated representative on the Advisory Board, briefed the Council on the activities of the Development Fund and the Board.

19. The next meeting of the Advisory Board, with the participation of the Committee of Financial Experts, is tentatively scheduled for late April 2010.

IV. Legal issues and options relating to the successor arrangements for the Development Fund for Iraq

A. Iraq escrow account and other transfers to the Development Fund for Iraq

20. Further to my report pursuant to paragraph 5 of Security Council resolution 1859 (2008) (S/2009/185), once all outstanding activities under the oil-for-food programme are concluded, and taking into account (a) any necessary residual activities, (b) any indemnities that may be provided by the Government of Iraq and (c) the need to ensure the availability of sufficient funds for the Organization to meet the costs and expenses that (i) have been incurred, (ii) are associated with the winding down of the oil-for-food programme and/or (iii) arise from the cooperation of the United Nations with Member States in respect of investigations and proceedings related to the programme, all other remaining funds should be transferred from the Iraq escrow account to the Development Fund for Iraq.

21. In the light of the need to make the above-mentioned transfers, it would be preferable if all outstanding activities under the oil-for-food programme were terminated prior to the transition to the mechanism that is to succeed the Development Fund, with a view to ensuring the transparency and efficiency of that

transition. If that is not feasible, the remaining unencumbered funds in the Iraq escrow account shall be transferred directly to the successor arrangements.

22. In the light of the continuing obligations of Member States under paragraph 29 of Security Council resolution 1546 (2004), the Council may also wish to take into account the possibility that additional funds, other financial assets or economic resources may be identified or discovered as belonging to the former Iraqi regime, its senior officials or their immediate family members, including entities owned or controlled, directly or indirectly, by them or by persons acting on their behalf or at their direction. In the event that such funds, other financial assets or economic resources are found and frozen in accordance with paragraph 23 of Security Council resolution 1483 (2003), it will be necessary to establish a mechanism for the transfer of such funds to the successor arrangements for the Development Fund.

B. Obligatory payments to the United Nations Compensation Fund

23. The issue of arrangements for ensuring payments to the United Nations Compensation Fund following the transfer of the oversight function from the International Advisory and Monitoring Board to the Committee of Financial Experts has been highlighted in two of my previous reports, the report pursuant to paragraph 5 of Security Council resolution 1859 (2008) (S/2009/385) and the report pursuant to paragraph 3 of that same resolution (S/2009/430).

24. In paragraph 21 of Security Council resolution 1483 (2003), the Council decided not only that 5 per cent of the proceeds of all export sales of petroleum, petroleum products and natural gas from Iraq should be deposited into the Compensation Fund established in accordance with resolution 687 (1991) but also that "unless an internationally recognized, representative Government of Iraq and the Governing Council of the United Nations Compensation Commission ... decide otherwise, this requirement shall be binding on a properly constituted, internationally recognized representative Government of Iraq and any successor thereto".

25. Thus, unless the Government of Iraq and the Governing Council of the United Nations Compensation Commission mutually agree to change the percentage or terminate such payments (or all outstanding United Nations Compensation Commission awards have been paid off), it is imperative that the Government of Iraq continue to be obliged to deposit 5 per cent of the proceeds of all export sales of petroleum, petroleum products and natural gas into the Compensation Fund. It is also necessary to ensure that the present mechanism is maintained or that an alternative, equally effective mechanism is established to ensure the payment into the Compensation Fund.

26. On a practical level, as an alternative mechanism to ensure such payment, the banking services agreement to be established by the Government of Iraq for any accounts that would be used to hold the proceeds of export sales of petroleum, petroleum products and natural gas from Iraq could include an article specifying the percentage that would be taken from the total and deposited into the Compensation Fund. I recognize the difficulty in ensuring that all proceeds from the export sales of petroleum, petroleum products and natural gas are recorded; however, a mechanism that would trigger a possible audit of the Fund could be established. Alternatively, the Security Council may request that a fixed yearly amount be paid by the

Government of Iraq into the Compensation Fund, irrespective of the amount of oil proceeds.

C. Privileges and immunities of the Development Fund for Iraq

27. In accordance with paragraph 22 of its resolution 1483 (2003), the Security Council accorded the Development Fund for Iraq privileges and immunities equivalent to those enjoyed by the United Nations, subject to certain exceptions. From the inception of the Fund, it was clearly understood that the Fund would enjoy such privileges and immunities for a limited and specified period of time. While the original expiration date of 31 December 2007 has been extended several times, including most recently in paragraph 1 of Security Council resolution 1905 (2009), there is no legal basis on which to perpetuate the protected status of the Fund once it becomes a fully nationally owned and controlled fund. Unless otherwise decided by the Council, the Fund should thus cease to enjoy such privileges and immunities on 31 December 2010.

28. In addition to the environmental and contractual claims to which the Development Fund is currently exposed under the exceptions to the privileges and immunities specified in paragraph 22 of Security Council resolution 1483 (2003) and paragraph 27 of Security Council resolution 1546 (2004), the Government of Iraq should be prepared to assume responsibility for any claims and liabilities to which the successor arrangements may be exposed.

D. Dissolution of the International Advisory and Monitoring Board

29. Following the adoption of Security Council resolutions 1483 (2003) and 1511 (2003), and having approved the terms of reference of the International Advisory and Monitoring Board, the Secretary-General of the United Nations, the Managing Director of the International Monetary Fund (IMF), the Director General of the Arab Fund for Economic and Social Development and the President of the International Bank for Reconstruction and Development jointly signed an instrument on 21 October 2003 establishing the Advisory Board.

30. Further to the extension of its mandate through 31 December 2010 in resolution 1905 (2009), and in accordance with section 9 B of the revised terms of reference of the Advisory Board, "arrangements will be made for the prompt dissolution of the International Advisory and Monitoring Board no later than 31 December 2010". Thus, to the extent that the executive heads of the four organizations concerned established the Advisory Board, it would be for them to make the necessary arrangements to dissolve it once the Security Council has terminated the Board's mandate.

31. Given that among the purposes of the International Advisory and Monitoring Board is the promotion of the objectives of Security Council resolution 1483 (2003) and subsequent resolutions, in particular that the proceeds from the export sales of petroleum, petroleum products and natural gas need to be used for the benefit of the Iraqi people, the Government of Iraq may wish to consider reaffirming its continued adherence to this principle as the successor arrangements to the Development Fund for Iraq are being developed.

V. Assessment of the progress of the Government of Iraq in preparing for the successor arrangements for the Development Fund for Iraq

32. In paragraph 4 of Security Council resolution 1905 (2009), the Council called upon the Government of Iraq to put in place the necessary action plan and timeline by 1 April 2010 and to ensure the timely and effective transition to a mechanism that is to succeed the Development Fund by 31 December 2010 that takes into account IMF stand-by arrangement requirements, includes external auditing arrangements and enables Iraq to meet its obligations as established in the provisions of paragraph 21 of Security Council resolution 1483 (2003).

33. I recognize the view of the International Advisory and Monitoring Board that the Committee of Financial Experts is ready to assume the oversight responsibilities and to conduct competent and independent oversight of the Development Fund for Iraq.

34. I welcome the first quarterly report of the Government of Iraq to the Security Council. The report provides an action plan and timeline for the transition from the Development Fund for Iraq, and I commend the Government of Iraq for acknowledging its obligations pursuant to paragraph 21 of Security Council resolution 1483 (2003).

35. I recognize that the action plan and timeline as presented by the Government of Iraq is realistic, and I am pleased that the Government of Iraq plans to select an independent international auditor to confirm that all proceeds of export sales of petroleum, petroleum products and natural gas from Iraq are accounted for.

36. The Committee of Financial Experts has finalized a time-bound action plan to implement a comprehensive oil-metering system, and I encourage the Government of Iraq to provide an update on this matter in its next quarterly report to the Security Council.

37. Work remains to be done to fully implement the action plan as presented by the Government of Iraq for the transition to successor arrangements for the Development Fund for Iraq, and I look forward to keeping the Security Council informed of the progress of the Government of Iraq in preparing for such arrangements.

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Letter dated 1 April 2010 from the Permanent Representative of Japan to the United Nations addressed to the Secretary-General

I have the honour to convey to you herewith a concept paper for the Security Council debate on post-conflict peacebuilding: comprehensive peacebuilding strategy to prevent the recurrence of conflict, to be held on 16 April 2010 (see annex).

I should be grateful if the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Yukio **Takasu**
Ambassador and Permanent Representative
of Japan to the United Nations

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Annex to the letter dated 1 April 2010 from the Permanent Representative of Japan to the United Nations addressed to the Secretary-General

Concept note on post-conflict peacebuilding: comprehensive peacebuilding strategy to prevent the recurrence of conflict

Japan proposes to convene an open debate of the Security Council on 16 April 2010 to consider a comprehensive peacebuilding strategy to prevent the recurrence of conflict.

A. Context

1. Background

The international community has witnessed many countries in a post-conflict situation which relapsed into conflict again within a decade. One of the reasons is "peacebuilding gaps" between security and reconstruction. A seamless engagement is essential to fill such gaps, from emergency humanitarian relief, the political process, guarantee of security, to reconstruction and development.

Since 2001, the Council has organized thematic debates on peacebuilding-related issues.[1] The Peacebuilding Commission has actively engaged with four post-conflict countries on its agenda and its function will be reviewed this year. However, the challenge to peacebuilding is now one of the major threats to international peace and security and there are far greater demands for effective peacebuilding activities in the world than in those four countries. Peacebuilding strategies are often fragmented and ineffective for implementation.

It is of particular importance that the Security Council conduct a comprehensive policy review on an effective peacebuilding strategy at this juncture, taking advantage of the current momentum and drawing upon the experiences of relevant countries, with special reference to Afghanistan, Sierra Leone and Timor-Leste.

2. What we debate

In order to prevent the recurrence of conflict, the main goals of peacebuilding, namely, political stability and security, must be achieved in parallel with social stability. In particular, political stability must be ensured through coexistence, reconciliation and reintegration of those affected by conflict, and security through security sector reform and the strengthening of governance and the rule of law. At the same time, social stability must be achieved through humanitarian assistance, the provision of basic services and infrastructure, economic opportunity and early delivery of a peace dividend.

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[1] A comprehensive approach to peacebuilding (S/PRST/2001/5); civilian aspects of peacebuilding (S/PRST/2004/33); justice and the rule of law including security sector reform and disarmament, demobilization and reintegration, small arms and other peacebuilding measures (S/PRST/2007/3, S/PRST/2004/34, S/PRST/2003/15); women and peace and security (S/PRST/2006/42, resolution 1889 (2009)); peacebuilding in the immediate aftermath of conflict (S/PRST/2009/23); and transition and exit strategies (S/PRST/2010/2).

In this debate, the Council should consider what measures are required to achieve political stability, security and social stability from a comprehensive and integrated approach. More specifically, the Council could consider the following two questions:

- How should we achieve coherence and linkages in and among individual policy areas, in particular peace, security, development, human rights and the rule of law?
- How should we enhance the coordination among activities at the international, regional, national and local levels to achieve coherence of policies to support people on the ground?

B. Questions for discussion

1. Political stability and security

In order to advance peacebuilding, a country in a post-conflict situation first and foremost needs to exercise ownership in promoting the political process and maintaining security and governance. However, such countries are often confronted with difficulties, which require consideration of the following factors:

Conditions conducive to promoting the peace process

In some cases, ethnic or tribal strife and the isolation of ex-rebel groups continue even after the end of conflict, and this environment hinders the peace process.

- How can political conditions conducive to implementing peace process be created, and how can the international community support this effort? For example, discussion could focus on how to promote coexistence, reconciliation, and reintegration.
- How can civil-military cooperation be improved?

Smooth implementation of the peace process to prevent the recurrence of conflict

The peace process can be impeded when there is a lack of consistent political will on the part of the Government concerned, renewed political strife, and misuse of power by the Government. Political stability and security are often affected by external factors.

- How can a country prevent renewed political strife and manage a post-conflict situation? Discussion could focus on how to encourage continuous dialogue among parties and engagement by the United Nations and regional organizations.

Sustainable peace through elections

In many cases, an election is a key to establishing sustainable peace. However, the election process can sometimes face difficulties, which arise from the ineffective functioning of an independent election committee or voter registration process.

- What are the prerequisites for successful elections leading to a durable peace?

Security sector reform and the rule of law

In the post-conflict situation, there are often cases in which the military maintains a disproportionate size and is not under civilian control, and in which the police are unable to maintain security and impunity remains unaddressed.

- How should a security sector reform strategy be developed towards taking a more strategic, sector-wide approach in order to enhance the rule of law and governance?

Governance

In the post-conflict situation, many countries are confronted with a lack of capacity to provide basic security and address urgent issues.

- What should be the priority areas for institution-building and the training of nationals in order to advance governance, and how can transparency of governance be ensured? Possible areas for discussion include democratic systems, including independent media, and human rights issues.

2. Promotion of social stability

In order to make the peacebuilding process irreversible and prevent the recurrence of conflict, a country must ensure social stability in parallel with peace and security. However, countries are often confronted with difficulties, requiring consideration of the following factors:

Delivery of a peace dividend

Social stability is difficult to achieve because of poverty, unemployment, social inequality and regional disparity.

- How can the early delivery of basic needs such as housing, food, water, electricity, health care and education be achieved through a human-centred approach?

Linkages among political stability, security and development

Measures towards political stability and security such as security sector reform and disarmament, demobilization and reintegration will not succeed unless they are accompanied by measures to facilitate reintegration through income creation and youth employment.

- How can security sector reform and disarmament, demobilization and reintegration be facilitated by promoting the reintegration of ex-combatants supported by development policy?

- How can relevant actors be encouraged to accelerate the restoration of the community and local economy, including through the protection and empowerment of women and vulnerable people such as refugees and internally displaced persons and the mainstreaming of gender perspectives?

Transnational issues

Transnational issues such as drug trafficking, organized crime, terrorism and small arms affect stability across borders and threaten international peace and security.

- How can cross-border cooperation be promoted to address transnational issues?
- How can a subregional, regional or international strategy be effectively implemented?

3. Strengthening international cooperation

In order to achieve recovery and reconstruction and to prevent the recurrence of conflict, international cooperation based on long-term commitment and partnership is essential, fully respecting the ownership of the Government. The United Nations is expected to play a central role in mobilizing and coordinating international support and assistance. The global peacebuilding challenges are by far bigger and more complicated than those on the agenda of the Peacebuilding Commission.

Which aspects of international cooperation should be strengthened for mobilizing support and resources? Possible answers include:

- Sustained and coordinated financial support (bilateral contributions, the Peacebuilding Fund, the United Nations Development Programme, the World Bank, regional development banks, the private sector)
- Experienced personnel, including the pooling of civilian expertise, capacity-building and training for personnel at the regional level
- Partnerships for continuous support.

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Report of the Secretary-General on the United Nations Mission in the Sudan

I. Introduction

1. The present end-of-mandate report is submitted pursuant to paragraph 11 of Security Council resolution 1590 (2005), in which the Council requested that it be kept regularly informed of progress in the implementation of the Comprehensive Peace Agreement in the Sudan. The report provides an assessment of the overall situation in the country since my previous report, dated 19 January 2010 (S/2010/31), as well as an update on the activities of the United Nations Mission in the Sudan (UNMIS) through 20 March 2010. In accordance with the Council's request, this report includes specific updates on the implementation of the Mission's protection of civilians strategy, contingency planning arrangements of the Mission in the lead up to the referenda, and initial steps taken to plan for UNMIS's post-referendum role in the Sudan.

II. Political developments

2. During the reporting period, preparations for the forthcoming elections dominated the political scene in the Sudan. While the parties to the Comprehensive Peace Agreement made important progress in the implementation of the Agreement, particularly in regard to the national elections scheduled for 11 to 13 April 2010, much remains to be done to prepare for the referenda scheduled for January 2011.

3. On 21 February 2010, the National Congress Party (NCP) and the Sudan People's Liberation Movement (SPLM) members of the Presidency of the Government of National Unity reached an agreement resolving a number of outstanding election-related disputes, particularly related to the 2008 census. The agreement provided that SPLM would drop its objections to the national census results, in return for allocation of an additional 40 seats for the south in the National Assembly. These seats are to be filled by appointment of the Presidency with the endorsement of the National Assembly, on a proportional representation basis after the elections. It was also agreed by the Presidency of the Government of National Unity that State-level elections in Southern Kordofan would be postponed to allow for a new census and the reallocation of State constituencies, while the State would receive an additional four seats in the National Assembly. Under this agreement, Abyei would receive an additional two seats in the National Assembly, and the

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National Elections Commission (NEC) would appoint a committee to oversee elections for the Abyei Administration.

4. The agreement to allocate extra seats to the South, Abyei and Southern Kordofan will allow SPLM to retain its veto power in the National Assembly regarding any constitutional amendment. Reflecting this agreement, on 11 March 2010 NEC issued a resolution stating that State-level elections in Southern Kordofan would be postponed for 60 days. However, several opposition parties have denounced the proposed measures as unconstitutional because they were not approved by the National Assembly and because they fail to address perceived census irregularities in other parts of the country. Thus far, NEC has not taken a decision on the agreement of the Government of National Unity on the additional seats.

5. NEC has also decided to postpone elections for the State Legislative Assembly in Gezira State, following the decision of 27 December 2009 of the Supreme Court regarding constituency delimitation. The delay will allow Gezira State to redraw constituencies and increase Assembly seats from 48 to 84, in accordance with the Supreme Court decision.

6. In Southern Sudan, more than 300 SPLM members have registered to run as independent candidates, asserting that the SPLM internal candidate selection procedures ignored the party's rank-and-file. Although SPLM Secretary General Pagan Amum acknowledged "irregularities" and "shortcomings" in the candidate selection process, such as a lack of consultation at the State level, on 18 February 2010 the SPLM political bureau took a decision to disown all party members running as independent candidates. A small number of NCP affiliated politicians also declared independent candidacies after failing to secure party nominations.

7. Regarding the electoral environment, northern opposition political parties have called upon the Government of National Unity to postpone the vote until November 2010, claiming that more time is necessary to create an atmosphere conducive to free and fair elections. In this regard, during the reporting period UNMIS received numerous reports of arbitrary arrests, harassment and interference by security services in northern and Southern Sudan with political party members. On 4 March 2010, a group of political activists conducting a public rally was arrested in Khartoum and detained by the security forces on the grounds that they had caused "public noisiness". According to the United Patriotic Front, the National Intelligence and Security Service has also held some of its student members in incommunicado detention for several months. In Southern Sudan, political party offices were vandalized on three separate occasions, and individuals and groups affiliated with the SPLM-Democratic Change have reportedly been arbitrarily arrested and detained by SPLA in at least six separate incidents.

8. NEC has taken significant steps to address some of the concerns raised by parties during the reporting period. On 4 March 2010, the Juba Alliance parties, including SPLM, submitted a memorandum to NEC detailing a number of concerns on the electoral process, including on the census, constituency delimitation in many States in the Sudan, voter registration, and access to the media. NEC responded to the memorandum on 10 March 2010, reiterating its independence of any political party.

9. On 22 February 2010, NEC issued a Circular on Campaign Activities "to serve as a point of reference on what constitutes acceptable campaign conduct". Several opposition parties characterized it as an attempt to restrict their freedom of movement and infringe on the rights of political parties, and criticized NEC for failing to include a limit on campaign expenditures. On 2 March 2010, several opposition parties announced their withdrawal from the NEC mechanism for administering the national media, claiming that they had been shut out of the decision-making process, and that they were being used to legitimize a body in which they had no meaningful opportunity to participate. In mid-March 2010, in response to political party demands, NEC reduced the prior notice period required for political party rallies from 72 to 36 hours. Among other measures, NEC also increased the time allotted to political parties on television from 20 minutes to 30 minutes during the campaign period. Parties other than NCP have not yet responded as to whether they will participate.

10. A number of major political parties, not including SPLM, submitted a memorandum to the Presidency on 20 March 2010, calling for the postponement of elections until November 2010. The statement proposed the formation of a new national government in the interim period before the elections, which would be responsible for reviewing the shortcomings of the electoral law, legislative changes to promote a free and fair environment, addressing outstanding issues related to the Comprehensive Peace Agreement, and concluding an agreement in Darfur to allow for increased participation in the elections. The memorandum also called for the dissolution of NEC. The Popular Congress Party also did not sign the memorandum, signalling a possible division in the Juba Alliance on the issue of the timing of elections.

11. UNMIS is using its good offices to work with all concerned in assisting the Sudanese to establish an environment whereby the elections are acceptable to the people of the Sudan. The African Union High Level Implementation Panel for the Sudan has also continued its efforts towards creating an enabling environment for the elections. In a positive development, 15 southern political parties, including SPLM and SPLM-Democratic Change, led by Lam Akol, attended a meeting organized by the African Union High Level Implementation Panel in Juba on 2 and 3 March 2010, during which they signed a code of conduct and a declaration of commitments agreement. NCP and some northern parties subsequently signed the same agreements on 8 and 9 March 2010 in Khartoum, bringing the total number of signatories to 26 political parties.

Implementation of the Comprehensive Peace Agreement

12. Key aspects of implementation of the Comprehensive Peace Agreement are covered in the following section, including election preparations, referendum preparations, Abyei, Southern Kordofan, wealth-sharing, border demarcation and other peace agreements in the Sudan.

Election preparations

13. Regarding election preparations, NEC extended the nomination period, postponing publication of the final list of candidates to 30 January 2010 and the nomination appeals period to 31 January to 6 February 2010. The two deadlines for withdrawing nominations (14 February for executive offices and 11 March for

legislative officials were also consolidated to 12 February 2010, and campaigning began on 13 February 2010. As at 17 March 2010, the election calendar specified three days for polling (11-13 April 2010) and two days for run-off polling for the presidency (10-11 May 2010), if necessary.

14. NEC began accepting candidate nominations on 12 January 2010 and has registered 12 national presidential candidates, including Omar al-Bashir, of the National Congress Party, Yasir Arman, of the Sudan People's Liberation Movement, and Sadiq al-Mahdi of the National Umma Party, as well as one female candidate, Fatma Abdel Mahmoud, of the Socialist Union Party. Salva Kiir Mayardit is the SPLM nominee for the Presidency of the Government of Southern Sudan, challenged only by SPLM-Democratic Change candidate Lam Akol.

15. In the National Assembly, 2,317 candidates are contesting the 270 geographic constituency seats, 1,026 are contesting the 112 Women's List seats (representing the 25 per cent allocated to women in the National Assembly), and 793 are contesting the 68 Party List seats; 395 candidates are running for Southern Sudan Legislative Assembly seats. A total of 4,471 candidates are seeking seats in the 25 State Legislative Assemblies.

16. As at 22 March 2010, the distribution of ballot papers to States had begun and it is expected to be completed by 31 March 2010. While the training of Constituency Election Officers has been completed, there are still concerns regarding the timely arrival of funding for training at the polling centre level.

17. Security in Southern Sudan and Darfur during the elections period is of concern. In particular, the limited capacities of the Southern Sudan Police Service, including the overall level of training, the shortage of vehicles and the lack of communications equipment, will pose a challenge to the Government of Southern Sudan's ability to provide security during elections.

18. One of the main challenges during the elections will be the number of voters assigned to each polling station. Currently, NEC has plans to establish polling stations with more than 1,200 voters assigned to them, which will pose a significant difficulty in terms of the time allocated for voting. In addition, it is unclear whether the ink supplied to each station to mark voters will be sufficient for such high numbers.

19. The voter education campaign by NEC, launched in March 2010, consists of a national and State-level media campaign, face-to-face activities, and promotional materials. While most of these activities are supported by donors through the United Nations Development Programme-managed basket fund, NEC is organizing its own radio and television programmes, as are civil society organizations. For example, two vans equipped with loudspeakers will be touring most of the States for a 20-day period, beginning on 20 March 2010, to broadcast information about elections. Every Sunday, full-page inserts are published in 45 newspapers nationwide. Special emphasis is also placed on radio as the best means to communicate messages to voters, including illiterate populations. Despite the efforts made thus far, voter education remains an enormous challenge given the size of the Sudan, the large number of first-time voters, the security environment in some areas and the restrictions placed on civil society organizations.

20. Regarding elections observation, NEC has released a Code of Conduct for Observers and established a five-member Observation Committee. Additionally, the

Carter Center has signed a memorandum of understanding with the Sudanese Ministry of Foreign Affairs and has had observers on the ground for nearly one year. The European Union plans to conduct observation during the elections with a team of approximately 130 observers, while other regional organizations such as the African Union and the League of Arab States plan to send their own teams. Japan has also indicated its intention to send observers. The major networks of domestic observer groups have confirmed plans to depioy approximately 7,000 domestic observers throughout the country.

21. UNMIS continues to advise and provide technical support to NEC on electoral preparations, including the development of a draft operational plan for polling and counting, the design of voter education materials, the procurement of polling materials (together with the United Nations Development Programme (UNDP) and the International Foundation for Electoral Systems), the development of training materials and workshops. The Mission has established an electoral operations centre and now has electoral support teams in 23 of Sudan's 25 States. The African Union-United Nations Hybrid Operation in Darfur (UNAMID) continues to support UNMIS electoral operations in Darfur, providing important logistical support across the region.

Referenda preparations

22. Significant challenges remain in the preparations for the referenda scheduled for 9 January 2011. Although the parties to the Comprehensive Peace Agreement have shown increasing political will to address referendum-related issues, they have made little concrete progress in establishing arrangements that would be required no matter the outcome of the referenda. On 10 February 2010, Government of Southern Sudan President Salva Kiir established the Southern Sudan 2011 Taskforce, chaired by the Government of Southern Sudan Vice-President Riek Machar, which will act as a planning team for referendum and post-referendum arrangements. On 20 February 2010, the Presidency of the Government of National Unity issued a resolution urging the parties to the Comprehensive Peace Agreement to assure the Sudanese people that the parties will reach agreement on the post-referendum arrangements, preferably before the conduct of the referendum in 2011, and to mobilize support from and agree on a well-defined role of the international community. The parties to the Agreement have not, however, agreed upon a structure, mechanism or timetable.

23. NCP announced in mid-March 2010 that the parties had agreed on a structure for post-referendum negotiations. According to the announcement, the talks will be bilateral with sub-teams tasked to negotiate a number of thematically grouped issues. The negotiation will be supported by a secretariat with equal numbers of representatives from both parties. If external assistance from the international community should become necessary, the request for such assistance by the parties will be coordinated and streamlined.

24. Regarding UNMIS planning for the referenda, an assessment mission led by the Department of Peacekeeping Operations was deployed to the Sudan from 18 to 30 March 2010 to evaluate the Mission needs in providing referenda support. As the Council is aware, the electoral component of the Mission has been strengthened on a temporary basis to provide technical support to the National Elections Commission and the 10 Southern Sudan High Committees. Limited capacity available to these

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electoral bodies, particularly in Southern Sudan, has been one of the main challenges in preparations for the elections. The lack of infrastructure in Abyei is particularly acute. Although the referenda in Southern Sudan and Abyei involve a smaller number of eligible voters than those participating in the April 2010 elections, the referenda processes will require a new round of registration, in accordance with the Referendum Acts for Southern Sudan and for Abyei. Furthermore, the Referendum Acts envisage the establishment of subcommittees at the county level.

25. In this context, strengthening of the electoral component of UNMIS, in addition to the retention and the redeployment of personnel recruited in support of the elections, would enhance technical support to the Referendum Commissions at multiple levels. In addition, UNMIS is planning to provide logistical assistance, particularly in the transportation of material, similar to the level of support provided for the elections. The overall presence of UNMIS electoral component and other United Nations personnel supporting the referenda in Southern Sudan and Abyei will be contingent on UNMIS mission support capacities.

26. With respect to referenda security, in the light of limited capacities of the Southern Sudan Police Service noted in paragraph 17 above, the police component of UNMIS will play an active role in advising the Southern Sudan Police Service and Abyei local police on arrangements to ensure a peaceful environment for the referenda. In addition, UNMIS in Southern Sudan, Abyei and other border areas will engage in efforts to identify potential flashpoints and promote local reconciliation, bringing together all relevant components within the Mission, to prevent referendum-related violence and to support the protection of civilians.

Abyei

27. Political disagreements within the Government of National Unity have contributed to delays in the appointment of posts in the Southern Sudan and Abyei Referendum Commissions, hampering progress on technical preparations for the referenda planned for January 2011.

28. In a positive development, on 5 February 2010, Deng Arop Kuol assumed his post as the new Abyei Chief Administrator. Local Abyei officials continue to point to funding delays as a major obstacle to the establishment of basic administrative operations and the provision of services in the area. A United Nations inter-agency team is providing technical assistance to the Abyei Ministry of Finance as it facilitates compliance with the Government of National Unity Ministry of Finance requirements for the release of funds, including local civil service reform.

29. Misseriya elements in the northern portions of the Abyei area have continued to deny UNMIS Joint Monitoring Teams access to some locations, often with threats of violence. On 17 February 2010, following a complaint from Misseriya leadership to the Abyei Area Joint Military Committee regarding UNMIS use of armoured personnel carriers, the Abyei Security Management Team declared the Misseriya-dominated villages of Dumboloya, Um Khaer and Shegei to be restricted areas for United Nations and NGO civilian movements and operations. This has significantly impeded humanitarian operations in these areas.

30. Insecurity has prevented progress on the physical demarcation of the Abyei boundary in accordance with the Permanent Court of Arbitration award of 22 July

2009. As of 9 March 2010, the demarcation team had not made any progress since my last report (S/2009/31).

Southern Kordofan

31. While there has been progress in the parties' discussions regarding the popular consultations, there has been little progress by way of practical implementation of concrete steps thus far. The delay has been due not only to the difficulty of the task, but also the Comprehensive Peace Agreement requirement that the popular consultations be conducted by the elected State Legislature. As the popular consultations are already seriously behind the schedule set out in the Comprehensive Peace Agreement and, with the delay in elections in Southern Kordofan, there is a pressing need to find ways of moving this work forward in the coming weeks and months.

Wealth-sharing

32. According to the Government of Southern Sudan Ministry of Finance and Economic Planning, the total oil revenue of the Sudan in 2009 from oil resources in the south was $2,566.16 million, of which the Government of Southern Sudan share was $1,067.7 million. The total reportedly transferred from Khartoum to the Government of Southern Sudan was higher, at $1,775.25 million, including $350.54 million towards the settlement of arrears, a refund of $52 million that the Government of the Sudan had deducted unilaterally for elections expenditure, and the withdrawal of $493.96 million from the Oil Revenue Stabilization Account. Owing to declines in oil prices in the first half of 2009, annual oil revenues were $3,999.88 million less than in 2008. In January 2010, the Government of Southern Sudan received oil revenue transfers of $120.73 million, with $82.22 million from exports and $38.51 million from a withdrawal from the Oil Revenue Stabilization Account.

33. Non-oil revenue collection in Southern Sudan remains relatively minor. According to the Government of National Unity Ministry of Finance and National Economy, a total of $18.86 million was collected in 2009, an increase over the $15.5 million in 2008.

34. The appointment of the National Land Commission remained outstanding, despite the enabling legislation signed into law in June 2009. The Southern Sudan Land Commission also remains non-functional.

Border demarcation

35. The issue of border demarcation was accorded special attention by the parties to the Comprehensive Peace Agreement during the reporting period. In February 2010, the Technical ad hoc Border Committee expanded the number of contested areas from three to five, adding Kaka Town (along the border of northern Upper Nile State) and the area on either side of the Bahr al-Arab/Kiir River (on the border between southern Darfur and Northern Bahr al-Ghazal). Also in February 2010, the Presidency instructed the Border Committee to commence demarcation, from the border with Ethiopia to the meeting point of the Blue Nile and Sennar States. UNMIS has continued to support technically the work of the Border Committee, including by organizing a workshop on border demarcation. The Border Committee

has indicated that it will continue to need technical assistance and logistical support throughout the demarcation process.

Eastern Sudan Peace Agreement

36. The political and security situation in eastern Sudan remains calm. Minimal progress was made in the implementation of the outstanding benchmarks of the Eastern Sudan Peace Agreement, including the reintegration of ex-combatants under the disarmament, demobilization and reintegration programme, funding to the Eastern Sudan Recovery and Development Fund, and the representation of eastern Sudanese in the national civil service. Differences among the Agreement signatories are widening in the run-up to the elections as they compete as distinct political parties, and there have been several complaints of harassment and intimidation.

Darfur peace process

37. On 23 February 2010, the Government of the Sudan and the Justice and Equality Movement (JEM) finalized and signed a framework agreement, which was facilitated under the sponsorship of the President of Chad, Idris Déby. The Agreement, which builds on the goodwill agreement of 17 February 2009 between JEM and the Government, committed the two parties to an immediate ceasefire, to the release of prisoners and the negotiation of a final peace agreement by 15 March 2010. The agreement did not address a ceasefire implementation protocol or a final agreement, largely owing to disputes over the participation of other movements in the peace talks and JEM demands for the delay of the national elections. Despite the lack of progress in the negotiations, the ceasefire between JEM and the Government has been respected.

38. Following weeks of consultations, the SLM-Revolutionary Forces and three movements from the Road Map Group announced the creation of the Liberation and Justice Movement (LJM) on 23 February 2010 in Doha. Its Chairman, Eltigani Sesi Ateem, is a civilian former Governor of Darfur. On 18 March 2010, the Government of the Sudan and LJM signed framework and ceasefire agreements and committed themselves to negotiate a final accord by 31 March 2010.

39. The Darfur mediation, in collaboration with UNAMID, also launched a series of civil society consultations that will seek to build on the momentum of the first Doha Darfur civil society conference, held in November 2009. The consultations aim to bring together the views and the interests of Darfur's diverse communities and provide popular support for the peace process.

III. Security developments

Conflict at the local level

40. The security environment in the UNMIS area of operations remained relatively stable, although significant security incidents occurred in Southern Sudan, including in Lakes, Upper Nile, Warrab and Jonglei States. Cattle rustling, migration-related incidents, and other inter-communal disputes remain conflict drivers in the south, and tensions have increased ahead of the elections.

41. On 20 February 2010, Ngok Dinka elements raided a Southern Sudan Police Service armoury and attempted to break into a Sudan Peoples' Liberation Army

(SPLA) camp in Lakes State, triggering a violent confrontation with SPLA that left seven civilians dead, including the Ngok Dinka paramount chief.

42. Tensions in Abyei escalated steadily during the reporting period. The failure of the local stakeholders to hold a community conference on migration arrangements, and SPLA insistence that the Misseriya relinquish their personal firearms before entering the south, impeded the Misseriya's southward migration, effectively trapping them in the northern portion of the Abyei area during the reporting period. Their protracted stay has placed greater strain on the area's water and pasture resources.

43. On 23 January 2010, SPLA units and Misseriya nomads exchanged fire along the Bahr al-Arab/Kiir River, Unity State, killing one SPLA soldier and two Misseriya men. On 4 February 2010, a clash in Abiemnom County, Unity State, left eight civilians dead, including six Misseriya tribesmen and two SPLA soldiers. On 17 March 2010, a Misseriya-SPLA firefight in Unity State left 13 dead.

44. With respect to the migration, UNMIS and UNDP are providing guidance and training support to local committees recently formed in the area which have worked to resolve the disputes along the border. On 4 March 2010, a framework agreement was reached between the Misseriya leadership and local authorities with regard to facilitating the annual migration into Abiemnon County and into Unity State in general.

45. During the reporting period, UNMIS monitored the Government of Southern Sudan-led forced civilian disarmament process in Jonglei, Warrap and Lakes States. While the majority of these exercises remained peaceful, the lack of mechanisms to provide security to disarmed communities led to a number of violent incidents with an unconfirmed number of casualties.

46. Over the course of the reporting period, UNMIS also facilitated a 10-State Governors' conference in Kadugli, a three-State conference in Bentiu and a Warrap-Unity Governors' conference, as well as Nuba-Misseriya, Nuer-Misseriya, and Dinka Malual-Rezeigat inter-communal conferences. UNMIS also worked closely with authorities and communal leaders in Jonglei State to prevent the mobilization of armed Dinka Bor youth and facilitated the efforts of the Government of Southern Sudan Ministry for Internal Affairs to de-escalate potential conflicts in Warrap and Jonglei States. An UNMIS cattle-tracking initiative led to the return of 1,400 cattle to the Bari tribe in Central Equatoria State, easing Bari-Mundari relations. Additionally, UNMIS and UNDP have continued to facilitate round-table meetings of the Southern Sudan political parties as part of a wider conflict mitigation strategy.

Redeployment of forces

47. The Sudanese Armed Forces (SAF) has redeployed 100 per cent of its forces from Southern Sudan; as at 26 January, SPLA had redeployed from northern Sudan approximately 35 per cent of its stated strength of 59,168, up from approximately 33 per cent as of my previous report. Both parties accepted these figures in the 111th meeting of the Ceasefire Joint Military Committee. UNMIS, however, experienced restrictions on its freedom of movement, including denials and refusals by national monitors to participate in the monitoring and verification of redeployment. Integrated efforts by UNMIS civilian and military components have been successful in overcoming some of these deadlocks.

Joint Integrated Units

48. Joint integration of SPLA and SAF stands at approximately 83 per cent of the mandated strength of 39,639 troops, unchanged since April 2009. The re-verification exercise previously scheduled for completion by 15 November 2009 is still ongoing. SAF Major General Yahya transferred command of the Joint Integrated Units to his former deputy SPLA Major General Marial on 27 January 2010, in accordance with the regular rotation of JIU leadership.

49. There were no reports of significant security incidents related to Joint Integrated Units during the reporting period, although the units remain a source of tension in some areas. Owing to the anticipated expense, SAF has discarded plans for the rotation of the entire Malakal Joint Integrated Units and plans instead a limited rotation of SAF troops from the Malakal Joint Integrated Units to Nasser.

UNMIS military deployment

50. As at 20 March 2010, 9,855 of the authorized 10,000 UNMIS military personnel were deployed, including 470 military observers, 191 staff officers and 9,194 troops. On the basis of the recommendations of the 2008 military capability study, deployment of additional troops, within the Mission's authorized strength, will continue until UNMIS military strength reaches 9,990 personnel, expected by end March 2010. During the reporting period, the military component focused its operations on conflict deterrence, protection, monitoring and preparation for electoral support, as reviewed in relevant sections of the present report.

51. Regarding the implementation of the military capability study discussed in my previous report (S/2010/31), delays by the Government of the Sudan in issuing entry permits for UNMIS-contracted vessels have had a negative impact on the Mission preparations in support of elections. Specifically, a vessel transporting equipment for the Bangladeshi contingent was held offshore by Sudanese authorities for 64 days, a vessel transporting equipment for the Egyptian contingent was detained outside of Port Sudan for 24 days, and a third vessel with Zambian equipment was detained for four days, resulting in detention charges of more than US$ 750,000.

52. SAF continues to prevent the movement of UNMIS military through the Higlig-Kharasana area near the border between Unity and Southern Kordofan States. UNMIS continues to raise this issue with the Government of the Sudan Ministry of Foreign Affairs and the Ministry of Defence, but the issue has not been resolved. In addition, SPLA has obstructed freedom of movement of UNMIS in areas north of Raja, Western Bahr al-Ghazal, southeast of Torit, Central Equatoria State, and North of Aweil, Northern Bahr al-Ghazal. These restrictions on the freedom of movement of UNMIS by both parties have negatively affected the Mission's ability to implement its mandate.

UNMIS Police

53. During the reporting period, the Government of Southern Sudan took encouraging steps to reorganize, reform and restructure the Southern Sudan Police Service, including through the passage of the new Police Act, the appointment of a new Inspector General of Police, and the recruitment of 6,000 high school graduates to replace the elderly and infirm personnel of the Police Service.

54. The Southern Sudan Police Service continued to face serious logistical challenges in the conduct of its policing activities. Currently, of the 300 vehicles available for the Police Service, 200 are not operational. During the reporting period, UNMIS trained over 2,500 Police Service personnel in formed police unit duties. Absent anti-riot equipment and vehicles, these officers have not been able to fully function as planned. Communication also continued to be a challenge for the Police Service, with 45 locations in all 10 States lacking means of formal communication.

55. As of 15 March 2010, UNMIS had deployed 95 per cent of its mandated strength (690 police advisers, including 99 women out of 715) to 25 team sites throughout the Mission area.

56. During the reporting period, the UNMIS police component focused its effort on training local police on elections security, conducting 322 election security training sessions across all sectors for 22,800 local officers. In a joint training funded by the Government of Norway, United Nations Police and Norwegian instructors trained 120 Southern Sudan Police Officers on election security training in Nairobi.

57. As part of its technical support to NEC, UNMIS has compiled the official Election Security Handbook to be used by the Government of the Sudan and Southern Sudan Police Service during the election period. A total of 27,000 copies have been printed by UNDP, and UNMIS is working in collaboration with UNAMID to facilitate distribution throughout the Sudan.

58. UNMIS also continued to train local police on training of trainers, riot and crowd control, VIP and close protection, forensics, community policing, crime scene investigation, human trafficking and organized crime, human rights and advanced investigation. Joint patrols between local police and UNMIS police component were initiated to create public awareness and to monitor the security situation in preparation of the forthcoming election.

Disarmament, demobilization and reintegration

59. The Government of Southern Sudan's disarmament, demobilization and reintegration programme progressed during the reporting period. However, the gap between demobilization and reintegration continued to widen, in part because of inadequate funds for reintegration. Since the launch of the national disarmament, demobilization and reintegration programme in February 2009, as at 16 March 2010 approximately 21,037 former combatants and members of special needs groups had been demobilized and had received reinsertion packages, comprising approximately 33 per cent of the caseload for phase one of the disarmament, demobilization and reintegration programme. In Southern Kordofan State, demobilization continued in Kadugli after the successful completion of the demobilization of former SPLA combatants in Julud. In Southern Sudan, demobilization in Rumbek (Lakes State) was suspended as of mid-December 2009 owing to a shortage in food support provided by the World Food Programme.

60. During the reporting period, reintegration packages were delivered by the Government of Southern Sudan to 420 participants, including 128 women. As of mid-March 2010, approximately 10,266 disarmament, demobilization and reintegration participants had received individual counselling services in preparation

for reintegration. Additionally, UNDP has finalized contracts with implementing partners to provide reintegration support for approximately 4,569 participants in the transitional areas. In Southern Sudan, contracts have been finalized to provide reintegration support for all participants in eight States. During the reporting period, the United Nations Peacebuilding Fund approved $6.6 million and Spain $2.8 million for the reintegration programme. UNDP has received $39 million for the year and has a current shortfall of $95 million that may be covered to some extent by the timely disbursement of funds that have been pledged.

61. The major shortcomings that were identified in the independent assessment of the disarmament, demobilization and reintegration programme, as mentioned in paragraph 56 of my last report (S/2010/31), have been largely addressed through the newly established disarmament, demobilization and reintegration High-Level Committee, which signed on 3 March 2010 standard operating procedures to govern candidate eligibility verification, as well as the identification and verification of Women Associated with Armed Forces and Groups in Southern Sudan.

Mine action

62. Sixty hazardous kilometres of road were cleared and nearly 12 square kilometres of land released to the local population during the reporting period, bringing the total to 38,258 kilometres and 56,528 square miles cleared. In addition, clearance has now been completed of all known priority roads in the Blue Nile State and of 75 per cent of all known dangerous areas in the northern region.

IV. Protection of civilians

63. Since the beginning of 2010, at least 450 civilians have been killed and at least 40,000 displaced in Southern Sudan. While the Government of Southern Sudan holds the primary responsibility for protection in Southern Sudan, weak and over-stretched government institutions have hampered its capability to protect civilians, particularly in remote, rural areas. In this context, UNMIS is authorized under its mandate to protect "civilians under imminent threat of physical violence", a mandate that the Mission has taken forward with an integrated approach involving civilians, military and police, and non-governmental organizations.

64. The UNMIS protection of civilians strategy is based on a three-tier approach: (i) the immediate security required to physically protect civilians under imminent threat of physical violence; (ii) the delivery of basic needs through securing access for humanitarian and relief activities; and (iii) deterrence and enhancing State capacity to protect through conflict prevention and management, and the strengthening of human rights mechanisms. To operationalize its strategy, UNMIS has taken a number of measures in the field, including increased coordination mechanisms among all actors and improved synergies in information exchange and situational analysis, to understand the causes of civilian insecurity and develop joint planning, scenarios and contingency planning.

65. To this end, on 29 December 2009, the UNMIS Force Commander issued a directive to all sector commanders to implement the Protection of Civilians strategy and report back on actions taken in each sector. Since then, the Protection of Civilians Section has undertaken trainings for sector commanders, heads of office, and heads of sections on the strategy and outlined the expectations. Protection and

conflict management forums have been established at the sector level and are to be replicated at the team site level to share and analyse early warning information.

66. One of the key ways in which this protection strategy is translated into UNMIS operations is through increased patrolling and extended UNMIS presence in remote potential hotspots in Southern Sudan. In response to major conflicts, including the mid-January clashes between Dinka and Nuer which resulted in 50 reported deaths and at least 11,000 persons displaced, both local authorities and UNMIS have increased interventions and patrols. The SPLA has deployed pre-emptively in several States and UNMIS has conducted an increasing number of long-range patrols and facilitated evaluation of the injured. Importantly, the patrolling programme for UNMIS plans for an increase in the duration of patrols to 10 days, which will enhance the Mission presence in key hotspots. Currently, more than one third of the long range patrols have been deployed or re-directed to assist post-conflict resolution and inform humanitarian response, including in Yirol, Terekeka, Mvolo, Budi, Mayom, Cueibet, Yei and Abiemnom.

67. In January 2010, the UNMIS military component initiated pre-emptive patrolling in 13 areas in Southern Sudan where potential inter-communal violence had been identified, in order to provide a deterrent presence. In February 2010, UNMIS operations were extended across the Nile in Upper Nile State, including long range patrols into the Shilluk Kingdom and remote areas near the north-south border. UNMIS pre-emption measures recently led to the prevention of an outbreak of violence, following a long range patrol to Gemmaiza, Central Equatoria State. In addition, a Joint Monitoring Team's rapid response to reports of clashes in Abiemnom helped to de-escalate tensions in the area.

68. In Southern Sudan, UNMIS and the United Nations agencies, funds and programmes are working to "join up" their protection activities, including through early warning systems and rapidly deployed joint protection patrols with State and security officials. The agencies, funds and programmes are also helping to strengthen the capacity of communities to protect themselves through their community protection networks, especially in affected areas, including Jonglei State.

69. A key protection-related priority for UNMIS remains promoting the peaceful passage of northern nomads and their herds on their annual migration across the north-south border. In response to clashes between the Misseriya and SPLA in Unity State, UNMIS convened a tripartite conference in Bentiu on 3 and 4 March 2010, which formulated guidelines to facilitate peaceful migration. In addition, UNMIS is training local police in deterrence, prevention and intervention measures in relation to human rights, crisis or post-crisis situations, community policing, sexual and gender-based violence, and gender and child protection.

Child protection

70. UNMIS has continued its efforts to secure the release of abducted children. During January 2010, and with the assistance of UNMIS, 13 former Lord's Resistance Army (LRA) child abductees were reunited with their families. As required by Security Council resolution 1612 (2005), and further to the commitments received for the release of children associated with SPLA, the SPLA senior command sent a directive to all commanders ordering the immediate release of all children in barracks. On 25 January 2010, 10 child soldiers serving at the

Panpandiar military training academy in Jonglei State were demobilized. In support of the directive, the UNMIS Child Protection Unit has developed a child soldier-tracking map for Upper Nile, Jonglei and Unity States, which is being used by the military component of the Mission to engage SPLA commanders.

V. Humanitarian situation, recovery and return

Humanitarian developments

71. More than 40,000 persons have been displaced in Southern Sudan as a result of inter-communal violence during the reporting period, bringing the total number of newly displaced persons since January 2009 to 440,000. There have been at least 450 civilians killed in inter-communal violence during the first three months of 2010. Early migration of northern pastoralists in Southern Sudan owing to late and poor rains in 2009 have contributed to the decline in security and have directly led to violence in the border States.

72. As part of ongoing efforts to deliver life-saving assistance to the victims of the clashes, 26 major emergency operations are currently under way in nine southern States. Coordinated by the Government of Southern Sudan and the Office for the Coordination of Humanitarian Affairs, and with support from UNMIS humanitarian sections, these operations involve all of the United Nations humanitarian agencies and nearly 100 NGOs, with assistance delivered to at least 1.5 million people. Reaching populations in need has been particularly difficult during the first months of the year since several of the most affected areas have almost no United Nations or NGO presence, owing to insecurity, poor roads and lack of Government capacity. With only a limited window to pre-position supplies before the rains cut off access to most of Southern Sudan, humanitarian agencies are working to procure and pre-position five core humanitarian elements including vaccines, emergency drugs, non-food items, seeds and tools and food.

73. The Famine Early-Warning System Network indicates that food security in Southern Sudan will worsen sharply as a result of the combined impact of inadequate rainfall last year, several consecutive poor or failed harvests and high food prices. In January 2010, the World Food Programme (WFP) announced that the number of people in Southern Sudan requiring food assistance at some point during the year will quadruple to 4.3 million people, close to half of the entire population in the south. According to the annual needs and livelihoods assessment, which is conducted jointly by the Government of Southern Sudan, WFP and the Food and Agriculture Organization of the United Nations, the number of severely food insecure people will increase from approximately 1 million in 2009 to 1.5 million in 2010. An additional 1.8 million people will be moderately food insecure at some point and a further 1.1 million people will receive assistance through food support programmes. Food insecurity is expected to increase in seven southern States.

74. In response to the massive food deficit, WFP is currently pre-positioning approximately 60,000 metric tons of food, tripling the amount of food pre-positioned last year. Approximately half of the assistance pre-positioned is destined for Jonglei State, which has been strongly affected by food insecurity and inter-communal conflict. As part of a massive effort to reach vulnerable populations, WFP has rapidly scaled-up the number of people receiving food assistance from 230,000 in January 2010 to 1.2 million people in February 2010.

75. In February 2010, a nutrition survey conducted in Akobo County, Jonglei State, showed emergency levels of malnutrition in the area. Global acute malnutrition levels of 45 per cent and severe acute malnutrition of 15 per cent were confirmed in three surrounding payams. In other areas of Jonglei State, humanitarian agencies are registering a threefold increase in admissions to malnutrition programmes. The trend is particularly worrying since the peak of malnutrition is normally several months later in the year during the "hunger gap" in April and May.

Recovery and development

76. Efforts to stabilize affected States in Southern Sudan have been taken forward through the Sudan Recovery Fund, which has been reoriented at the request of the Government of Southern Sudan into a stabilization instrument. In Jonglei State, the first State chosen to receive stabilization funds, the opening of the road from Bor to Pibor has been given priority and is being taken forward using a combination of short-term job creation opportunities for youth with the use of heavy machinery. In Lakes State, three main priorities were identified by the State Security Committee, including the opening of roads to allow the deployment of security forces into conflict areas.

77. On 3 March 2010, the Government of Southern Sudan and the World Bank signed four grant agreements, committing the latter to fund nearly $125 million towards health, road rehabilitation, infrastructure development and skill training for adolescent girls. The funds are part of the Multi-Donor Trust Fund administered by the Bank.

78. Efforts to strengthen the core functions of the Government of Southern Sudan have accelerated. UNDP, under Government of Southern Sudan leadership and in partnership with the United Nations Volunteers and other partners, has developed the Rapid Capacity Placement Initiative to support State capacity-development. Through the initiative, up to 150 qualified international United Nations Volunteers will be deployed to each of the 10 Governor's offices to boost the capacity of State Governments to deliver services to the people, accelerate economic performance and strengthen community security and the rule of law.

79. The challenges faced by the Government of Southern Sudan in this area are significant and, in recognition of the work ahead, Southern Sudan has been selected by the Organization for Economic Cooperation and Development to participate in an international dialogue on peacebuilding and State building.

Return and reintegration

80. Cumulative spontaneous returns since 2005 are estimated at over 2 million people, while total organized and assisted returns of refugees and IDPs exceeded 343,300. Few return movements occurred during the reporting period, most of which were limited to destinations along the north-south line, including Abyei area and greater Bahr el-Ghazal. Southern Sudanese refugees currently living in Uganda are expected to return home in order to vote in the 2011 referendum. The United Nations High Commissioner for Refugees (UNHCR) is planning to repatriate upwards of 12,000 refugees in the months ahead.

VI. Governance and human rights

Rule of law

81. In its final session in December 2009, the National Assembly adopted legislation related to the Comprehensive Peace Agreement, including the National Security Forces Bill, the Regulation of Prisons and Treatment of Inmates Bill, the Trade Unions Bill, the Child Bill, the Southern Sudan Referendum Bill, the Abyei Referendum Bill, the Popular Consultation for Blue Nile and the Southern Kordofan States Bill. These laws, if implemented, will constitute significant progress towards the implementation of the Agreement.

82. Serious challenges remain with respect to the justice system throughout the Sudan. The judiciary in general has limited independence and transparency, while access to legal aid remains a significant concern. In Southern Sudan, a key challenge is the lack of legislative, judicial and law-enforcement institutions, particularly in the areas of physical infrastructure, skilled professionals and transportation and communications equipment.

83. In Southern Sudan, UNMIS continues its advisory support to the legislative reform process, including the provision of technical support for drafting legislation. The Mission also advised the judiciary on means for reducing lengthy remand committals and successfully completed three workshops on that issue together with the United Nations Office on Drugs and Crime.

84. UNMIS has established the Justice and Security Sectors Advisory and Coordination Cell in Southern Sudan, which will contribute to more coherent and efficient support to the justice and security sectors' development and will enhance coordination among Government of Southern Sudan institutions, United Nations entities, civil society organizations and other international actors.

Human rights

85. While there were some positive developments in addressing human rights challenges in the Sudan, key legislative and political concerns remain, particularly with respect to the electoral environment. During the reporting period there were reports of violations of political rights and freedoms, including harassment, intimidation, arbitrary arrest and detention, carried out by the National Intelligence and Security Services in the north and SPLA in the south (discussed in detail in the elections section of this report).

86. In this context, the continuing application of the National Security Forces Bill and the Criminal Procedure Law provides a legal umbrella for human rights violations by Government security forces in the north and the south. In this context, UNMIS has been addressing human rights issues with the Government of National Unity through regular meetings with the Advisory Council of Human Rights.

87. Concerns about the application of the death penalty in the Sudan continue. On 14 January 2010, six men implicated in the killings of 13 policemen during riots in the Soba Aradi neighbourhood of Khartoum in 2005 were executed, despite appeals from three United Nations Special Rapporteurs and UNMIS. In a positive development, on 24 February 2010, the Government of the Sudan released 57 detainees on death row, following the political agreement with JEM. Fifty of the

detainees had been sentenced to death for involvement in the JEM attack on Omdurman in May 2008.

88. While significant progress was noted in the operational capacity of the Southern Sudan Human Rights Commission, the establishment of the national human rights commission called for under the Comprehensive Peace Agreement remains to be established.

89. The Government of National Unity cooperated fully with the United Nations Human Rights Council independent expert on the situation of human rights in the Sudan during his first visit to the country in January 2010. The Government of National Unity also participated on 5 February 2010, in the Human Rights Forum in dialogue with the United Nations, the diplomatic and donor community and civil society on human rights challenges in the Sudan.

VII. Cross-cutting issues in the Mission

Public information

90. UNMIS public information has prioritized elections awareness in the period preceding national elections. The Mission conducted elections awareness information sessions at universities and IDP camps in many locations in the Sudan and organized training for local media in Khartoum on reporting on elections.

91. Despite the increasing need for a nationwide independent broadcast media outlet, in particular in the lead-up to the elections, United Nations-sponsored Radio Miraya has not yet been assigned an FM frequency in northern Sudan by the Government. The radio has expanded its coverage in Southern Sudan by installing an FM transmitter in Kaput (Eastern Equatoria State) and airs daily short-wave broadcasts.

Conduct and discipline

92. UNMIS strengthened its focus on prevention of misconduct, considering the changing environment leading to the elections in the Sudan. Training and awareness raising were conducted in all sectors, as well as continued monitoring of risk factors, with increasing interaction between peacekeeping personnel and local communities/leaders during this electoral phase.

93. Compliance by all categories of UNMIS personnel with the United Nations Code of Conduct and zero tolerance policy on sexual exploitation and abuse remains a key priority. During the reporting period, the Mission received seven allegations of serious misconduct, which are under review.

Gender

94. UNMIS provided technical support and advice to partners on issues relating to gender mainstreaming, including meetings with State High Committees, gender-based violence training for disarmament, demobilization and reintegration beneficiaries and a three-day workshop on the national women empowerment policy in collaboration with the Ministry of Social Welfare, Women and Child Affairs.

95. On 11 February 2010, a Ministry of Justice Task Force was established to provide technical expertise and advice on the implementation of Security Council resolution 1820 (2008), in collaboration with UNMIS.

HIV/AIDS

96. UNMIS continued to support integration of HIV/AIDS awareness in the disarmament, demobilization and reintegration programme and has conducted an awareness and capacity-building campaign that benefited over 4,300 members of the Sudanese Police, including 1,200 new recruits, and 600 former combatants. Awareness campaigns were also conducted among youth and women groups and IDP camps.

Staff security

97. Criminality and banditry continue to pose threats to United Nations staff. At least 40 incidents of theft, break-in, criminal damage and road banditry were perpetrated against United Nations staff, vehicles and residences.

98. However, with the improved security situation, the northern Sudan security phase was lowered from III to II effective 17 December 2009.

Coordination with other peacekeeping missions

99. UNMIS senior leadership attended a retreat in Kigali on 27 February 2010, on peace, security, recovery and development in Darfur. It was organized by UNAMID and was attended by a representative from the Joint Mediation Support Team and special envoys from France, the United Kingdom, the United States and the European Union.

Financial aspects

100. The General Assembly, by its resolution 63/273 B of 30 June 2009, appropriated for the maintenance of UNMIS for the period from 1 July 2009 to 30 June 2010 the amount of $958.4 million. Should the Security Council decide to extend the mandate of UNMIS beyond 30 April 2010, the cost of maintaining the Mission until 30 June 2010 would be limited to the amounts approved by the General Assembly.

101. As at 17 March 2010, unpaid assessed contributions to the Special Account for UNMIS amounted to $382.3 million. The total outstanding assessed contributions for all peacekeeping operations as at that date amounted to $4,162 million.

102. Reimbursement of troop-contributing Governments for contingent-owned and troop equipment costs has been made for the period up to 30 June 2009 and 31 October 2009, respectively.

VIII. Observations and recommendations

103. The parties to the Comprehensive Peace Agreement made progress on a number of fronts over the course of the reporting period, including resolution of the long-standing dispute over the census results and advances in the north-south border demarcation. The Sudanese political agenda remains strained, however, and with

less than 10 months remaining before the referenda, delays in addressing any of the major outstanding issues are likely to have serious repercussions for the entire peace process. As I called for at the African Union Summit in January 2010, at this juncture, it is incumbent upon the Sudanese political leadership and its partners to prioritize those issues most vital to peace and security, and move forward as quickly as is feasible.

104. I welcome the renewed commitment of the parties to negotiating the post-referendum issues and, in particular, their achievement in agreeing to the negotiating process and structure. I respect their intention to conduct the negotiations bilaterally and stand ready to lend assistance as and when requested. I urge that substantive talks between the parties commence in earnest as soon as the important benchmark of holding the elections has been achieved.

105. The period leading up to and immediately following the elections will be particularly sensitive. These elections should play a positive role in strengthening opportunities for the people of the Sudan to play a more active role in the political life of their country and to let their political voice be heard. I call on all concerned to ensure that the electoral environment is conducive to the holding of free and fair elections that are acceptable to the Sudanese people. I also call on the Government of National Unity and Darfur armed movements and stakeholders to ensure that negotiations towards a comprehensive peace agreement continue with full speed in the post-electoral period.

106. In the post-election period to come, support to establishing the conditions for peaceful referenda and post-referendum processes will be the highest priority of UNMIS. As such, I cannot overemphasize the importance of both effective technical preparations for the referendum voting process and a workable agreement on post-referendum arrangements. The political sensitivity of these issues has led to concern and caution by both parties to the Comprehensive Peace Agreement. However, in the sixth and final year of the interim period, it is critical that this caution is not used to obstruct full implementation of the Comprehensive Peace Agreement. I urge the parties to the Agreement to urgently establish functional referendum commissions for both Abyei and Southern Sudan, and to start negotiations on post-referendum arrangements. UNMIS stands ready to assist the parties to the Agreement in these efforts, and in improving coordination between international partners supporting this process.

107. One of the most important issues that must be addressed by the parties is the situation in Abyei, particularly with respect to the concerns of the Misseriya and Dinka Ngok communities. It is critical that the Border Committee be permitted to conduct its work in the Abyei area, and that mechanisms be established by the Government of National Unity to ensure the participation of the Misseriya and Dinka Ngok in the remaining Comprehensive Peace Agreement processes.

108. As part of discussions around arrangements for the holding of the referenda and the necessary agreements that must be made on a number of related issues, appropriate planning should be conducted for the period after the referenda, no matter their outcome. In this regard, the United Nations will consult informally with its partners in the Sudan and in the international community to examine post-referenda scenarios and support that may be required. With the end of the transition nearing, and regardless of the outcome of the Southern Sudan referendum, efforts to rapidly build the capacity of the Government of Southern Sudan to execute core

governance functions need to be accelerated. The United Nations will develop, in partnership with the Government of Southern Sudan, and in consultation with the Bretton Woods institutions and other relevant stakeholders, a capacity-building plan that sets out a balanced approach to both short and medium-term priorities and timelines, with the core objective of assisting the Government to establish functioning and accountable institutions.

109. In the coming period, UNMIS will face key challenges with regard to referendum preparations, security in the south, and capacity-building in the UNMIS areas of operation. In this regard, the Mission will continue to work on human resources and planning aspects related to the Mission's engagement in these areas.

110. In view of the above, I recommend that the Security Council consider extending the mandate of UNMIS for a further period of 12 months, until 30 April 2011.

111. In conclusion, I wish to extend my gratitude to my former Special Representative for the Sudan, Ashraf Qazi, and Deputy Special Representative, Ameerah Haq. I wish to extend my welcome to my new Special Representative, Haile Menkerios, and new Deputy Special Representatives, Jasbir Lidder and Georg Charpentier, and to thank all United Nations staff working in the Sudan, Member States, including troop- and police-contributing countries, and donors, for their determined efforts to assist the Sudanese people in the implementation of the Comprehensive Peace Agreement.

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Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 1244 (1999), by which the Council decided to establish the United Nations Interim Administration Mission in Kosovo (UNMIK) and requested that I report at regular intervals on the implementation of its mandate. The present report covers the activities of UNMIK, and developments related thereto, from 16 December 2009 to 15 March 2010.

II. Political situation and Mission priorities

2. The strategic goal of UNMIK remains the promotion of security, stability and respect for human rights through engagement with all communities in Kosovo, as well as with Pristina and Belgrade and regional and international actors. During the present reporting period, UNMIK continued to support minority communities, encourage reconciliation and facilitate dialogue and regional cooperation.

3. In line with the Security Council presidential statement of 26 November 2008 (S/PRST/2008/44) and my report of 24 November 2008 (S/2008/692), the European Union Rule of Law Mission in Kosovo (EULEX) has continued to operate under the overall authority and within the status-neutral framework of the United Nations. Information exchange and coordination between UNMIK, EULEX and the Kosovo Force (KFOR) at the operational and strategic levels have taken place on a regular basis. UNMIK and the United Nations team working in Kosovo are developing a common strategic framework, under which UNMIK will continue to implement its mandate in view of the evolving circumstances, and the 14 United Nations agencies, funds and programmes that are active in Kosovo will focus on the implementation of development programmes.

4. On 6 and 7 January, the President of Serbia, Boris Tadić, visited Kosovo to attend an Orthodox Christmas service at the Visoki Dečani monastery, under KFOR escort and accompanied by the Minister for Kosovo and Metohija, Goran Bogdanović. Addressing the media, President Tadić sent a message of peace to Serbs, Albanians and people of all other nations of the Balkan region which "have been torn by divisions and wars", stressing that Christmas was an occasion to reconcile for the

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sake of a common future. Some 200 Kosovo Albanians gathered in Deçan/Dečani to protest the visit, preventing access to the monastery.

5. On 13 January, Minister Bogdanović, while on a subsequent visit to Kosovo, was escorted out of Kosovo by the Kosovo Police. The Kosovo authorities maintained that Bogdanović intended to hold political meetings in Shtërpcë/Štrpce without a prior announcement or permission from the Kosovo authorities, as required by procedures discussed between Belgrade, the European Union and Pristina. Bogdanović stated that he had informed EULEX and that, as a resident of Kosovo, regardless of his ministerial office, he had a right to free movement. He noted that such actions by the Kosovo authorities sent a negative message to Kosovo Serbs, especially those who wished to return to their homes. On 26 January, the Kosovo Police escorted the Deputy Minister for Kosovo and Metohija, Branislav Ristić, and four members of his entourage out of Kosovo, arguing that his visit was not coordinated with the Kosovo authorities.

6. Since my last report to the Security Council (S/2010/5), 1 additional State has recognized Kosovo, bringing the total to 65. On 17 February, muted celebrations were held in Kosovo to mark the second anniversary of the declaration of independence by the Kosovo authorities. A special session was held in the Assembly of Kosovo; 1 out of the 10 Kosovo Serb members of the Assembly was present at the session. On 21 December, the President of Slovenia, Danilo Türk, became the first Head of State to visit Pristina since the Kosovo authorities declared independence. Discussions focused on economic and security-related matters. The President of Croatia, Stjepan Mesić, visited Pristina on 8 January, stating that his visit was aimed at strengthening bilateral relations with Kosovo.

7. The election results for the second round of mayoral elections, organized by the Kosovo authorities and held on 13 December, were certified in 18 municipalities on 24 December. Complaints about irregularities resulted in a rerun in the municipalities of Prizren, Lipjan/Lipljan and Gjilan/Gnjilane. The Organization for Security and Cooperation in Europe (OSCE) supported the Central Election Commission in the technical preparations for both the second round and the rerun elections. The Kosovo authorities have scheduled elections to take place on 20 June 2010 in the envisaged new Kosovo Serb-majority municipality of Partesh/Parteš, which was not included in the November 2009 elections. The date for elections in the envisaged new municipality of North Mitrovica has not been announced yet by the Kosovo authorities. Elections organized by Belgrade are expected to take place in northern Mitrovica on 30 May 2010, in accordance with Serbian law.

III. Engagement with Pristina and Belgrade and practical arrangements

8. UNMIK remains committed to facilitating the engagement of all sides in finding practical solutions to issues of mutual concern. On 3 March, my Special Representative and his senior managers, with the support of the United Nations Office in Belgrade, held constructive meetings in Belgrade with the Serbian Minister for Kosovo and Metohija and other Serbian officials. European Union and EULEX experts continued to conduct technical discussions with the Serbian authorities in the rule of law area, keeping UNMIK informed of the outcome. My

Special Representative and his senior managers also met with senior Kosovo officials, including with Deputy Prime Minister Hajredin Kuçi, in February.

9. Discussions on practical arrangements relating to the full functioning of the court and full customs controls in northern Kosovo have not seen significant progress, but consultations with Belgrade and Pristina are continuing. In the meantime, the court in northern Mitrovica continues to operate with EULEX judges and prosecutors, who dealt with some of the most urgent cases. A team of local administrative staff supervised by EULEX also completed an inventory of 5,000 prosecutorial files at the district court level.

10. Following extensive engagement with all sides during previous months, the European Union announced on 16 February that the head of Greece's liaison office in Pristina, Dimitris Moschopoulos, would serve as facilitator in the protection of the religious and cultural heritage of the Serbian Orthodox Church in Kosovo. Ambassador Moschopoulos will facilitate the development of integrated conservation policies for the religious and cultural heritage of the Church, and will actively engage in increasing awareness of, and respect for, cultural heritage. All main stakeholders have pledged to engage constructively with him.

IV. Northern Kosovo

11. On 3 February, my Special Representative visited northern Kosovo and met separately with the Kosovo Albanian leadership of the Mitrovica municipality and with the Kosovo Serb leaders of the northern municipalities and northern Mitrovica. Both communities explicitly indicated their interest in cooperating with UNMIK and conveyed their expectation that UNMIK would continue its facilitation efforts in order to resolve practical problems.

12. As a follow-up to these meetings, UNMIK is engaged with both sides to establish task forces comprising all stakeholders in order to address practical issues that confront communities on the ground. One task force has begun its work and is addressing practical aspects of returns to the Kroi i Vitakut/Brdjani area relating to reconstruction of houses, infrastructure and services, in order to decrease tensions and focus on common needs. UNMIK continues to promote the depoliticization of problems and the adherence to established rules and procedures. Task forces are also planned on education and health and on the relocation of members of the Kosovo Roma, Ashkali and Egyptian communities to permanent housing, in order to address the critical health risks they face as a result of lead contamination.

13. Despite consultations between the Electric Power Industry of Serbia and the Kosovo Energy Corporation regarding electric power distribution in northern Kosovo, no arrangements have been agreed so far. A sustainable solution remains elusive. The Electric Power Industry of Serbia, having taken over the distribution of electricity in the north last autumn, has begun issuing bills to consumers.

14. During the reporting period, the Kosovo authorities announced their intention to implement a "strategy for northern Kosovo", aiming to increase their presence north of the Ibër/Ibar River and integrate Kosovo Serbs into the Pristina-based structures and institutions. The Kosovo authorities announced a €4 million investment to support its implementation. UNMIK was neither consulted in the drafting of the strategy nor included in its planned implementation. The strategy triggered reactions

from all stakeholders and added new dynamics to discussions about the north. On 10 February, Kosovo's President, Fatmir Sejdiu, stated that the strategy would not be implemented by force. On 4 March, the Assembly of Kosovo adopted a statement in support of efforts to integrate northern Kosovo, reaffirming the need to guarantee the "protection of the territorial integrity of Kosovo".

15. Kosovo Serb leaders of all political affiliations and the authorities in Belgrade branded the strategy a dangerous provocation, claiming that it violated the Constitution of Serbia and Security Council resolution 1244 (1999). Kosovo Serb leaders in the north put aside their political differences and responded strongly and in a united manner against the actions suggested in the strategy. Moreover, local Serbs challenged the impartiality of the European Union presence in Kosovo, and of EULEX in particular. All northern municipalities, as well as the provisional Serbian municipal body for northern Mitrovica, unanimously adopted conclusions condemning and rejecting the strategy. Kosovo Serbs in the north have stressed that they have their own local institutions that, in their view, are legitimate and do not need to be dissolved. Kosovo Serb representatives called upon KFOR and EULEX, among other international entities, to remain status-neutral, in accordance with their mandates, and to ensure peace and security for all citizens. Kosovo Serb representatives warned that any attempt to impose the "strategy for northern Kosovo" could provoke violent reactions.

V. Security

16. The overall security situation in Kosovo remained relatively calm but fragile. Two incidents involving explosives occurred in northern Kosovo in December and early January, resulting in damage to property belonging to Kosovo Serbs. In December, a taxi driven by a Kosovo Albanian was stoned in northern Mitrovica; the driver was unhurt. On 4 January, in Kroi i Vitakut/Brdjani, a group of Kosovo Serbs pelted with stones Kosovo Albanian construction workers who had come without prior notice, mistakenly suspecting that the workers were engaging in additional construction beyond what had been agreed in UNMIK-facilitated negotiations. On 13 March, a group of unknown persons at gate 31 near Zubin Potok opened fire with AK-47 rifles, hitting a EULEX vehicle, one EULEX container and three Kosovo Police containers. No injuries were reported.

17. On 3 February, the body of a Kosovo Serb male showing visible signs of violence was found on the outskirts of the predominantly Kosovo Serb village of Graçanicë/Gračanica. On 6 February, the dead body of a Kosovo Serb taxi driver, also with visible signs of violence, was found in Zveçan/Zvečan. On 14 February, on the eve of the expected return of five Kosovo Serb families to the municipality of Klinë/Klina, the windows of a house belonging to a Kosovo Serb returnee couple were broken with stones allegedly thrown by five Kosovo Albanian juveniles; four of the juveniles were identified. On 17 February, stones were thrown at a humanitarian bus transporting some 50 Kosovo Serbs from the village of Osojan/Osojane in Istog/Istok municipality to Mitrovica while it was passing through the Kosovo Albanian village of Runik/Rudnik in Skenderaj/Srbica municipality, resulting in minor damage to the bus. On 20 February, a Kosovo Serb male returnee to Zallq/Žac village in Istog/Istok municipality was assaulted by three unknown Kosovo Albanians in the vicinity of his village. On 1 March, the victim revealed the name of a Kosovo Albanian male perpetrator, who later came to the police station

and admitted to having committed the crime. On 22 February, the coffin of the first Kosovo Serb to be buried at the Gjilan/Gnjilane town Orthodox cemetery since 1999 was vandalized. Members of the Kosovo Serb community perceived the event as a warning against their return. Kosovo's Prime Minister visited the site and strongly condemned the incident. On 10 March, a 70-year-old Kosovo Serb male was assaulted in his house in Çaglavicë/Ćaglavica by two masked intruders. On 13 March, gunshots were fired from a moving vehicle close to the house of the Kosovo Serb mayor of Shtërpcë/Štrpce, who was elected in the Pristina-organized elections on 13 December. No injuries were reported. The police subsequently took two Kosovo Serb suspects into custody.

18. On 26 January, the Kosovo Police arrested three traffic inspectors from Serbia for allegedly conducting an inspection of a bus in Kosovo without a permit from Kosovo to do so. They spent one night in detention before being released. Prior to this, on 23 January, Kosovo police arrested a group of 17 Serbs, some of whom were Kosovo residents, who were participating in a funeral in a Kosovo Serb hamlet in Podujevë/Podujevo municipality. They were charged with illegal entry into Kosovo and were sentenced to pay a fine of €4,000 in total. The group was released after the fine was paid by municipal authorities in Serbia.

19. Overall, there has been no increase in the number of incidents, including those affecting the minority communities, in comparison with the previous reporting period; however, the persistence of incidents continues to represent an obstacle to returns and perpetuates a perception of insecurity among the minority communities. Bringing perpetrators of crimes to justice, publicly condemning such incidents and reaching out to the victims, as occurred in a few instances during the reporting period, would serve to alleviate some concerns among the communities and foster a feeling of increased security.

20. The transition of KFOR to a "deterrent presence" is being implemented in a gradual and phased manner. By the end of January, troops in Kosovo were drawn down to 10,200. Further reductions will be determined by the North Atlantic Council on the basis of prevailing conditions, and not on a fixed calendar.

VI. Rule of law

21. UNMIK continues to exercise certain responsibilities in the rule of law area. Cooperation at the technical level between the UNMIK Rule of Law Liaison Office and the Ministries of Justice and Internal Affairs continues to be good. UNMIK also continues to experience good cooperation with the Serbian authorities in the rule of law area.

22. UNMIK continues to provide document-certification services, both to Kosovo residents and at the request of non-recognizing States. Since January, the Kosovo Ministry of Justice has made more than 1,000 direct requests for mutual legal assistance to the Serbian Ministry of Justice, which remain unanswered to date. UNMIK receives requests for mutual legal assistance from States that do not recognize Kosovo, including Serbia, and forwards them to the Kosovo Ministry of Justice for action. More than 100 such requests were processed during the reporting period. At the request of EULEX judges, my Special Representative issued five wanted notices from the International Criminal Police Organization (INTERPOL).

23. UNMIK maintains one forensic expert to ensure cooperation at the technical level with the Office on Missing Persons and Forensics and to serve as a liaison with Belgrade in the Pristina-Belgrade Working Group on Missing Persons. From December to the end of February, the Office conducted 23 field operations, resulting in two exhumations. In addition, 20 sets of human remains were returned to the families of the victims. The Mission also facilitates and participates in the Working Group on Missing Persons and the sub-working group on forensics, both chaired by the International Committee of the Red Cross. During the reporting period, one session of the sub-working group on forensics and one session of the Working Group on Missing Persons took place in Belgrade; the meetings were held in a spirit of cooperation.

VII. Returns

24. Although voluntary minority returns remain low in absolute numbers, there has been an increase from 2008, with 1,153 individuals returning from displacement in and outside Kosovo in 2009, compared with 679 in 2008. According to the statistics of the Office of the United Nations High Commissioner for Refugees (UNHCR), 259 displaced minority community members — 22 Kosovo Albanians, 90 Kosovo Serbs, 30 Kosovo Roma, 89 Kosovo Ashkali and Kosovo Egyptians, 16 Kosovo Bosniaks and 12 Kosovo Goranis — voluntarily returned to Kosovo between January and February 2010, compared with 55 in the same period last year. The returns registration exercise, carried out in 2009 by UNHCR in cooperation with the Serbian Ministry for Kosovo and Metohija and the Ministry for Communities and Returns in Pristina, has revived interest among the displaced and has given new impetus to the returns process.

25. OSCE field teams report that only four municipalities in Kosovo are currently in the process of developing their returns strategies for 2010. It should be noted that only 19 municipalities adopted returns strategies in 2009. In the assessment of OSCE, implementation of these strategies in 2010 faces a number of challenges, including lack of funding for returns activities, lack of political commitment and structural problems in local governance, as well as concerns regarding the viability of conditions for returns, namely security, access to public services, housing and property rights and socio-economic opportunities.

26. Continuing forced returns from host countries may negatively impact the ability of Kosovo authorities to support sustainable returns and may exacerbate existing tensions. A total of 224 persons have been forcibly repatriated to Kosovo during the first months of 2010; 15 of them belong to communities that UNHCR considers to be "at risk" in Kosovo. In 2009, a total of 2,962 individuals were forcibly returned.

VIII. Cultural and religious heritage

27. UNMIK continued to facilitate the work of the Council of Europe-led Reconstruction Implementation Commission on the reconstruction of 34 cultural and religious heritage sites that were damaged or destroyed during the March 2004 violence. During the reporting period, the Commission continued work on four sites and selected subcontractors for the other three sites: Saint George's Church in

Prizren, the Church of Saint John the Baptist complex in Pejë/Peć, and Dević monastery, near Skenderaj/Srbica. Reconstruction work at these sites will start in the spring of 2010.

28. UNMIK also continued to facilitate the activities of the United Nations Educational, Scientific and Cultural Organization (UNESCO) in Kosovo. Seven projects funded from a $1 million donation by the Government of the United States of America were completed by the end of 2009. Four out of five reconstruction projects funded by the Government of Italy have also been completed. Italy donated an additional €135,000 to expand a project on cultural diversity, intercultural dialogue, heritage protection and reconciliation in Kosovo, which will be implemented in 2010.

29. UNMIK monitored the security arrangements provided for the Serbian Orthodox patrimonial sites, in coordination with EULEX, the Kosovo Ministry of Culture, Youth and Sports and KFOR. KFOR continued guarding the eight Serbian Orthodox sites that are among the nine properties with designated special status. The timing and sequence of replacement of KFOR static guard units at these sites by Kosovo Police static guards ("unfixing") is to be determined by the North Atlantic Council. KFOR and EULEX will monitor the Kosovo Police in this context.

30. The Kosovo Energy Corporation and the entities of the Serbian Orthodox Church, with the engagement of UNMIK, have reached an agreement on payment for electricity that is provided, and the power supply was restored to almost all monastic communities south of the Ibër/Ibar River.

31. During the reporting period, several Serbian cultural and religious sites were vandalized. This included the desecration in January 2010 of some 20 Orthodox cemetery gravestones in the predominantly Kosovo Serb village of Llapje Sellë/Laplje Selo near Pristina and the nearby village of Lismir in Fushë Kosovë/Kosovo Polje. The ruins of Buzovik monastery in Viti/Vitina municipality, included in the list of special protective zones, continue to be used as a dump for waste. Six nineteenth-century Montenegrin Orthodox gravestones in the zone have been partially damaged. On 9 March, the Kosovo Police announced that they had opened an investigation into unknown perpetrators who had damaged the Orthodox church in Perkovac in Gornji Strmac/Stërnac i Epërm village, near Zubin Potok, and several icons.

32. The Holy Synod of Bishops of the Serbian Orthodox Church, chaired by the newly elected Patriarch Irinej, suspended Bishop Artemije of Raška and Prizren from his duties on 11 February on grounds of irregularities in the administration of the diocese. The suspension remains in effect until the completion of the initiated canonical procedure, or until the next session of the Holy Assembly of Bishops. Retired Bishop Atanasije of Zahumlje and Herzegovina has been appointed as the temporary Administrator of the Diocese of Raška and Prizren. On 16 February, Bishop Atanasije and Bishop Teodosije of Lipljan held a memorial service in the St. Nicholas Church in Pristina in commemoration of the ninth anniversary of the Niš Express bombing, in which 12 Serbs were killed and 40 were injured. This was the first time since 1999 that bishops of the Serbian Orthodox Church had conducted a service at this particular church, which had been burned down during the violence in March 2004 and largely restored using funds allocated by the Kosovo authorities as part of the Reconstruction Implementation Commission process. On 21 February, the St. George Orthodox Cathedral in Prizren, which was also gutted by fire in

March 2004, was consecrated following its reconstruction, and a first liturgy, attended by some 200 faithful, was celebrated.

IX. Community issues

33. On 23 February, the European Commission Liaison Office to Kosovo, in partnership with the Kosovo authorities and the municipality of Mitrovica, launched the implementation phase of a €5 million project for Kosovo Roma, Ashkali and Egyptian internally displaced residents of the Osterode and Çesmin Llugë/Česmin Lug camps. The project focuses on six issues: house construction, health assistance, income generation, education, municipal capacity-building and conflict mitigation. The initiative reinforces and complements past and ongoing efforts conducted by several stakeholders, including UNMIK, to find a permanent solution to the plight of the Kosovo Roma, Ashkali and Egyptian communities in the camps, aimed at leading to the eventual closure of the camps.

34. Despite isolated incidents, members of the minority communities have generally moved freely around Kosovo. On the occasion of All Souls' Day on 8 February, some 110 displaced Kosovo Serbs visited the Orthodox graveyards and other sites in Suharekë/Suva Reka and Gjakovë/Đakovica municipalities. On 12 and 13 February, some 30 Orthodox pilgrims from Serbia visited different religious sites in the Pejë/Peć and Prizren regions, including Visoki Dečani monastery, Holy Archangels monastery, the Bogorodica Ljeviška church in Prizren and Zočište monastery. On 18 January, some 800 Kosovo Serbs attended the traditional *Bogojavljenje* (Epiphany of Jesus Christ) ceremony at the church of the Holy Trinity in Partesh/Parteš without any incidents. A considerable number also attended services in the Pristina and Prizren regions.

X. Human rights

35. Securing respect for the rights of all communities continues to be a challenge, as evidenced by continued reports of security-related and other incidents affecting minority communities. In this context, in February 2010 the Kosovo authorities launched the strategy and implementation plan for 2009-2015 for the integration of the Kosovo Roma, Ashkali and Egyptian communities. They also released their first report on the implementation of the strategy and action plan on human rights for 2009-2011, which was launched in December 2008. Noting some positive achievements, the report acknowledges that the proper functioning of institutional mechanisms for human rights protection and promotion remains a challenge, and that the level of implementation of the strategy remains unsatisfactory.

36. During the reporting period, the vacancy for the third member of the Human Rights Advisory Panel was filled. To publicize the upcoming cut-off date of 31 March 2010 for submission of complaints to the Panel, notices were placed in the Pristina and Belgrade media having wide circulation. Following a review of its case figures, the panel reports that it has received a total of 439 cases to date, of which 30 have been closed.

XI. External representation

37. UNMIK continued to facilitate Kosovo's engagement in international and regional forums. While no meetings were organized at the end of December 2009 or in January 2010, activities picked up in February. UNMIK facilitated two meetings of the Regional Cooperation Council Board and the Central European Free Trade Agreement, four meetings of the Energy Community, one meeting of the Steering Committee of the Regional School of Public Administration, two meetings of the United Nations Economic Commission for Europe and a meeting of the South-Eastern Europe Transport Observatory.

38. The issue of the modalities of Kosovo external representation, however, remained controversial. In fact, there has been increasing attention to this question particularly in the light of the upcoming International Court of Justice advisory opinion. There is no agreed template for the participation of the representatives of the Kosovo institutions in regional or international meetings. This has resulted over time in a variety of arrangements for the identification of the participants and has led in some instances to disputes or the absence from the event of one or more of the invited parties. As a rule, the organizers request the presence of an UNMIK representative, who is generally given the floor first to address the issues from the UNMIK perspective. The representatives of the relevant Kosovo institutions then intervene to describe their policies and priorities.

XII. Observations

39. During the reporting period, UNMIK continued to engage proactively with all communities, as well as with Pristina and Belgrade and international actors, in furthering peace and stability in Kosovo and the region. My Special Representative continued to cultivate good faith relations with all sides to encourage dialogue and bridge differences. He maintained close cooperation with EULEX, which has been established within the status-neutral framework of the United Nations.

40. UNMIK remains uniquely placed to facilitate dialogue between the communities, in particular in northern Kosovo. UNMIK efforts are complemented by the humanitarian and development activities of the United Nations agencies, funds and programmes. The continuing support for UNMIK activities by the communities on the ground, by Pristina and by Belgrade, as well as by the Security Council and the broader international community, is of crucial importance. I welcome the efforts to establish UNMIK-facilitated working groups on issues related to northern Kosovo, which highlights the importance of focusing on issues that unite all communities and not on what may divide them. I call on all stakeholders to work constructively with UNMIK in addressing issues of mutual concern.

41. I remain concerned about the possibility of increased tensions in northern Kosovo, should the implementation of the strategy for northern Kosovo by the authorities in Pristina not take place in conditions of transparency and dialogue with local communities and all relevant stakeholders. Sensitive issues related to northern Kosovo can only be addressed peacefully and through continuing consultation and coordination between all relevant actors, taking into account the specific circumstances and concerns of all communities.

42. As far as regional development and cooperation are concerned, Pristina and Belgrade should be encouraged to show greater flexibility and to focus on the goal of furthering common interests and arriving at practical results, irrespective of status-related considerations. In this regard, I urge both Pristina and Belgrade to take a pragmatic approach to the participation of representatives of the Kosovo institutions in regional and international forums. Regional cooperation is a key element in efforts to advance the European perspective of the region. In this context, UNMIK continues to play a key role in facilitating such cooperation.

43. I am pleased to be able to report that there has been progress in discussions related to the establishment of a mechanism for the protection of the Serbian Orthodox Church's religious and cultural heritage in Kosovo. I welcome the announcement by the European Union of the appointment as facilitator in this area of the Head of the Greek Liaison Office in Pristina, who is seen as a neutral figure able to press for the fulfilment of obligations on the part of each stakeholder involved. I also welcome the flexibility and pragmatism demonstrated by the sides in supporting this appointment and urge them to engage in a constructive manner in consultations led by the facilitator. The United Nations will continue to extend its full cooperation to these efforts. I urge all sides to demonstrate the same openness in establishing practical arrangements in other areas of mutual concern, where progress has been minimal.

44. While the most recent period indicates a welcome increase in numbers of returnees compared to previous periods, the overall numbers of returns remains disappointingly low. Strategies on returns must be adopted throughout Kosovo and cooperation between all stakeholders in this area must be strengthened. In this regard, I welcome the renewed consultations on the opening of the UNHCR property offices in Serbia to improve access to all adjudication mechanisms for real property claims filed by the displaced.

45. The longer-term stability and development of Kosovo and the region rests on a successful process of reconciliation between communities. In this regard, I welcome the message of President Tadić, on the occasion of his visit to the Dečani monastery to celebrate Orthodox Christmas, that all people, regardless of their identity, should reconcile their differences. I encourage all sides to take practical steps in furtherance of that goal.

46. I would like to express deep appreciation and gratitude to my Special Representative, Lamberto Zannier, for his excellent leadership of the Mission and his tireless efforts to engage with all parties and reconcile conflicting positions, in order to advance cooperation and help maintain security and stability in Kosovo and in the region. I would also like to commend the staff of UNMIK for their continued dedicated work and commitment to Kosovo and the goals of the United Nations.

47. I would also like to extend my gratitude to the longstanding partners of the United Nations in Kosovo — the European Union, the North Atlantic Treaty Organization and the Organization for Security and Cooperation in Europe — as well as to the United Nations agencies, funds and programmes for their ongoing support and cooperation with UNMIK.

Annex I

Report of the High Representative of the European Union for Foreign Affairs and Security Policy to the Secretary-General on the activities of the European Rule of Law Mission in Kosovo

1. Executive summary

The European Union Rule of Law Mission in Kosovo (EULEX) continued to undertake monitoring, mentoring and advising activities in the area of rule of law, and to implement its executive functions according to its mandate. The Mission worked with the Kosovo rule of law authorities on the planning and implementation of targeted monitoring, mentoring and advising activities, focusing especially on management-level capacity and methodology in the areas of police, justice and customs. Results are already apparent in some areas.

On the occasion of the Mission's first anniversary in December, President Sejdiu and Prime Minister Thaçi commented on the work of EULEX during its first year of operations. The Prime Minister expressed his confidence in the Mission's success. Meetings of the Joint Rule of Law Coordination Board, co-chaired by the Head of EULEX and the Deputy Prime Minister, took place on a monthly basis; a range of rule of law issues was discussed. Working groups have been set up to coordinate the consultations.

The European Union is establishing a joint office north of the Ibër/Ibar River (European Union House). EULEX has representatives stationed there.

EULEX continued its dialogue with the Serbian rule of law authorities, and the head of mission visited Belgrade with the head of the justice component on 2 and 3 March for discussions on judicial matters. Senior staff of the justice and customs components also visited Belgrade for discussions.

Significant progress was made with trials and the processing of cases, including those handed over by the United Nations Interim Administration Mission in Kosovo (UNMIK). In January, EULEX judges completed the cases received from UNMIK at the Supreme Court level. They expect to complete the cases received from UNMIK at the district court level soon.

EULEX continued to hold hearings and trials in Mitrovicë/Mitrovica District Court. EULEX prosecutors and investigators focused their work on a number of organized crime and war crime cases. The joint EULEX and Kosovo Office on Missing Persons and Forensics handed over 20 sets of human remains to families, participated in working group sessions in Belgrade and Pristina and met with the Office of the Supreme State Prosecutor of Montenegro about a potential grave site. An UNMIK forensic expert responsible for liaising with Belgrade works in the Office on Missing Persons and Forensics.

EULEX continued to support the preparations of the Kosovo Police for the future gradual assumption of responsibility for the protection of the "green border" (the land area between recognized border/boundary crossing points) and of cultural/historical sites, starting with the Gazimestan monument. As before, EULEX

formed police units stood ready to act as second responder in case of disturbances; however, the situation was on the whole stable, and no serious unrest occurred.

EULEX Customs continued to copy and scan data on commercial traffic at gates 1 and 31 in northern Kosovo, including data on cargo carried into northern Kosovo by train.

2. Activities of the European Union Rule of Law Mission in Kosovo for the period from December 2009 to March 2010

General

On 5 March, EULEX had 2,785 staff (1,692 international staff and 1,093 local staff). The Mission continued to implement its monitoring, mentoring and advising activities in the area of rule of law throughout Kosovo. It also implemented its executive mandate. EULEX has cooperated closely with UNMIK, particularly on the exchange of information and issues concerning the north of Kosovo, and has also closely coordinated its activities with the European Union presence and with other international actors in Kosovo and in the region.

EULEX police, justice and customs components continued planning and implementing targeted monitoring, mentoring and advising activities with the Kosovo rule of law authorities, focusing especially on management-level capacity and methodology in the Kosovo police, justice and customs. Results are already apparent in some areas.

In the north of Kosovo, work by the administrative team on 30,000 prosecutorial files in the courthouse in Mitrovicë/Mitrovica continued under EULEX supervision. The inventory of 5,000 district court prosecution files was completed. The inventory of municipal court prosecution files is the next task. The inventory team estimates that there will be about 25,000 prosecution files to go through; however, despite this progress and the holding of a number of trials in Mitrovicë/Mitrovica District Court, it has not yet been possible to establish full operational justice in the north of Kosovo, owing to the continued lack of Kosovo Albanian and Serb judges and prosecutors.

An international working group that includes EULEX gave a draft model law on civil status and civil registration to the Ministry of Internal Affairs. The Minister of Internal Affairs signed an administrative instruction on the Civil Registration Agency, the legal basis for the establishment of the Agency and central databases in the Ministry. He also appointed a chief executive officer for the Agency. The integration of existing databases and the modernization of the outdated civil status system remain challenges.

The EULEX Legal Office drafted a technical arrangement on the transitioning of the Financial Intelligence Centre from EULEX to the authorities of Kosovo, as established by the Law on the Prevention of Money-Laundering and Terrorist Financing. This technical arrangement covers how the transition will be carried out, as well as the responsibilities of EULEX and the Ministry of Economy and Finance.

The dialogue with Belgrade on police, justice and customs matters continued. On 2 March, the head of mission and the head of the EULEX justice component travelled to Belgrade for meetings with representatives of the Government of Serbia

on issues mainly concerning the judiciary and the District Court in Mitrovicë/Mitrovica. The Kosovo authorities were informed about the visit. EULEX prosecutors and investigators have met their Serbian counterparts in Belgrade on a monthly basis to discuss war crimes cases and the exchange of information. Technical discussions between the EULEX customs component and the Belgrade customs authorities resumed in February, reaching agreement on the way forward on a number of issues, including preparations for moving from the copying of documents to electronic exchange, the escort of shipments and enhanced enforcement. EULEX customs also informed Belgrade that it intended to intensify controls throughout Kosovo, in cooperation with EULEX Police.

On 28 January EULEX experts took part in the first stabilization and association process dialogue meeting between the European Commission and the Kosovo authorities. At the meeting, a number of rule of law matters were discussed, including the readmission and reintegration of repatriated persons, the fight against organized crime and corruption, the functioning of the judiciary and the reappointment of judges and prosecutors.

EULEX and UNMIK met with representatives of the United Nations Office on Drugs and Crime (UNODC) and facilitated meetings between UNODC and the Kosovo authorities.

Police

EULEX advised the Kosovo Police to apply increased resources and energy to the implementation of the agreed targeted monitoring, mentoring and advising actions. Briefing sessions were set up to raise awareness of the tasks among over 9,000 Kosovo Police employees. The briefings have been conducted by a large team of Kosovo Police trainers, starting in February 2010.

EULEX continued to contribute to discussions on the organizational structure of the Kosovo Police. The Minister of Internal Affairs approved the top level of the Kosovo Police structure (up to the head-of-department level), as proposed by a working group headed by Deputy General Director Jankovic.

EULEX continued investigations into the case of Nazim Bllaca (who had been placed under house arrest on 1 December in connection with charges of aggravated murder and organized crime). Two further arrests were made in connection with his allegations, the latest on 5 March. The house arrest of Bllaca was extended until 1 May in order to allow investigations to continue.

The EULEX War Crimes Investigation Unit completed a comprehensive review of the 888 cases for which the Prosecutor of the Special Prosecution Office of Kosovo issued a request for investigation in 2009. Of 21 active investigations, two minor ones were delegated to the Kosovo Police War Crimes Unit. These assignments have boosted the morale and commitment of Kosovo Police investigators, who will report regularly to EULEX about the progress of their work.

As before, EULEX formed police units stood ready to act as second responder in case of disturbances; however, the situation was on the whole stable, and no serious unrest occurred.

EULEX, in coordination with the Kosovo Force (KFOR), has continued to support Kosovo Police preparations for the assumption of responsibility for the

"green border", starting with the Albanian border. EULEX monitored the internal recruitment within the Kosovo Police to reinforce the Kosovo Border and Boundary Police by transferring police officers to border duties. On 11 January, 128 Kosovo Police officers were redeployed to strengthen the Border and Boundary Police on the border with Albania. On 1 March, EULEX, KFOR and the Kosovo Police started joint patrols along the 120 km stretch in the north, from gate 2A to the Montenegrin border, which was previously under sole KFOR control. Handover from KFOR to the Kosovo Police at the border with the former Yugoslav Republic of Macedonia is expected to start in the second quarter of 2010.

EULEX also continued to support Kosovo Police preparations for the handover of responsibility for the security of the Gazimestan monument and other cultural sites from KFOR to the Kosovo Police. The Kosovo Police are scheduled to take over full responsibility for security at the Gazimestan monument from KFOR in March. EULEX will initially monitor 24 hours a day, seven days a week, and stands ready to react as second responder to any disturbances.

The Kosovo Police established a working group led by Deputy General Director Jankovic to prepare for the establishment of police stations in the new municipalities. EULEX is following developments.

In a survey of the reintegration of Kosovo Serb officers into the Kosovo Police after June 2009, two thirds of the 100 officers surveyed expressed their satisfaction with the process in general. They expressed some concern, however, about the quality of Kosovo Police management, information flow, political interference and equal treatment for staff from non-majority communities.

UNMIK and EULEX staff continued to work together in the UNMIK International Criminal Police Organization (INTERPOL) Office. On 24 December EULEX was invited for the first time to take part in a Joint Implementation Committee meeting at the Serbian Border Police headquarters in Kuršumlija, Serbia.

Justice

On 12 January a five-judge panel (three EULEX judges and two Kosovo judges) of the Supreme Court of Kosovo issued a verdict which concluded all pending criminal cases that had been handed over, at this level, by UNMIK. Some of these case files relate to crimes that happened more than 10 years ago.

These proceedings included appeals in the second and third instance, and requests for protection of legality. The charges in these criminal cases included war crimes, money-laundering, organized crime, acts of terrorism and accepting bribes. In the meantime, the EULEX Supreme Court team also dealt with interim appeals from other pending cases throughout Kosovo.

Since starting operations in December 2008, EULEX has regarded dealing with the cases handed over by UNMIK as one of its priorities, and this has been done in good cooperation with Kosovo judges. EULEX judge teams at the district court level expect to complete the cases they have received in the near future.

In the courthouse in North Mitrovicë/Mitrovica, the team of local administrative staff supervised by EULEX continued work to establish an inventory of 30,000 prosecution files. The inventory of 5,000 prosecution files at the district court level was completed. Progress with regard to the return of Kosovo Albanian

and Kosovo Serb judges and prosecutors remains critical for the normalization of the court's operations. Some of the most urgent cases have been dealt with by EULEX judges and prosecutors. For example, in January EULEX judges in Mitrovicë/Mitrovica District Court held hearings and trials in inter-ethnic cases in which proceedings were put on hold after the attack on the courthouse in March 2008. In two murder cases, the defendants had been in detention for up to two and a half years.

In response to media interest after the appointment of judges and prosecutors by Belgrade, the Mission also emphasized that EULEX judges and prosecutors had been adjudicating cases in Mitrovicë/Mitrovica since December 2009, and that Kosovo could have only one judicial system.

In the Supreme Court, in the first appeal case in which the original verdict had been pronounced by EULEX judges, a mixed panel of Kosovo and EULEX judges upheld the verdict, in which a Kosovo Albanian was convicted of war crimes.

On 1 February a mixed panel of Kosovo and EULEX Supreme Court judges announced the verdict in an appeal case. The defendant had been convicted of attacking an UNMIK vehicle, killing two passengers and injuring two others in March 2004. The judges modified the first-instance verdict and handed down an aggregated sentence of 30 years imprisonment.

The trial of Albin Kurti, the leader of the Vetëvendosje (self-determination) movement, in connection with events in 2007 was scheduled to start on 15 February, but was postponed until 2 March, at which time the defendant failed to appear before the court.

The Kosovo Police were ordered to find the defendant and bring him to the court, but were unable to do so, and both the local judge and the lawyer appointed ex officio to defend him also failed to appear, so the trial was postponed again, until 13 April. The case is one of the last judicial cases at the district court level received from UNMIK.

EULEX legislative experts followed the work of the Kosovo Ministry of Justice on the draft law on obligations and the draft law on witness protection. EULEX legislative experts, judges and prosecutors monitored work on the new drafts of the criminal code and the criminal procedural code.

The Conditional Release Panel held four sessions in January, considering approximately 40 cases. A EULEX judge is monitoring the work of the panel.

The EULEX Correctional Unit regional team in Mitrovicë/Mitrovica carried out a security assessment of the Mitrovicë/Mitrovica Detention Centre, and agreed on further steps with the director of the facility.

From December 2009 to 5 March 2010, the Office on Missing Persons and Forensics, which is jointly led by a EULEX head and a Kosovo head, conducted 5 autopsies of war victims and 97 fresh autopsies; began an inventory of human remains from six sites from which 162 bone samples were extracted for analysis; conducted 8 death scene investigations, 19 forensic clinical examinations, 23 field assessments and 2 exhumations; and handed over 20 sets of human remains to families. The Office on Missing Persons and Forensics had a number of meetings with family associations and families. The Office participated in one working group session in Belgrade and one in Pristina, and met with the Supreme State

Prosecutor's Office of Montenegro about a potential site. An UNMIK forensic expert responsible for liaising with Belgrade works in the Office on Missing Persons and Forensics.

Customs

EULEX Customs monitored, mentored and advised the Kosovo Customs Service at border and boundary crossing points, with the exception of gates 1 and 31, and at the Pristina airport. EULEX continued the practice of copying commercial invoices at customs gates 1 and 31 in the north of Kosovo and documents related to cargoes carried into northern Kosovo by train from Kraljevo in central Serbia to Zvečan/Zveçan, just north of Mitrovicë/Mitrovica. With effect from 1 March, the documents are being scanned instead of copied. The infrastructure upgrade at these gates was completed, with closed-circuit television cameras installed and transmitting images to the Kosovo Customs operations room, EULEX Police operations room, EULEX Customs and KFOR headquarters. Restoration of full customs control in northern Kosovo remains, however, subject to agreement between stakeholders on the collection of customs duties and the distribution of revenues.

On 30 December 2009, EULEX Customs mobile units monitored the launching and testing by Kosovo Customs of its patrol boat on Vërmicë/Vrbnica Lake, at the border with Albania.

EULEX advised Kosovo Customs and the Kosovo Ministry of Economy and Finance on the strategic operating framework, i.e., the strategic plan of Kosovo Customs for 2010-2012 within the midterm expenditure framework of the authorities of Kosovo. The EULEX customs component advised Kosovo Customs and the Ministry of Economy and Finance on the acquisition of a European Union-compliant new customs computer database system, Asycuda World, to replace the existing Trade Information Management System.

EULEX encouraged the Kosovo authorities to revitalize the Independent Review Board, the appeals body for customs and tax administration decisions. The Board has not been operational since November 2008. Following months of debate in the Kosovo Assembly, in February the remaining 10 members of the Board were nominated. Once they have been approved, the Board can resume its activities. EULEX is closely monitoring how the backlog of cases is being dealt with, and is promoting reform of the Independent Review Board's status.

The EULEX customs component completed site surveys and questionnaires and sent them to the International Atomic Energy Agency for the European Commission's border monitoring needs assessment project on improving infrastructure and procedures for nuclear safety, radioactive material and weapons of mass destruction in the western Balkans.

Approved by Yves **de Kermabon**
Head of Mission

Annex II

Composition and strength of the police component of the United Nations Interim Administration Mission in Kosovo

(as at 15 March 2010)

Country	*Number*
Germany	1
Ghana	1
Italy	1
Pakistan	1
Russian Federation	1
Turkey	1
Ukraine	1
Total	**7**

Annex III

Composition and strength of the military liaison component of the United Nations Interim Administration Mission in Kosovo

(as at 15 March 2010)

Country	*Number*
Czech Republic	1
Denmark	1
Norway	1
Poland	1
Romania	1
Spain	1
Turkey	1
Ukraine	2
Total	**9**

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Identical letters dated 29 March 2010 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, I transmit to you herewith a statistical summary of Israeli violations committed in January 2010 (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the sixty-fourth session of the General Assembly, under agenda item 15, and of the Security Council.

(*Signed*) Caroline **Ziade**
Chargé d'affaires a.i.

10-30482 (E) 070410 090410

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Annex to the identical letters dated 29 March 2010 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

Israeli violations, acts of aggression and other activities during the month of January 2010

Date	*Time*	*Acts of aggression in the field*
28 January 2010	1200	An Israeli enemy patrol directed verbal abuse and obscenities in the Arabic language towards sentries manning the Lebanese Army position at Ruwaysat al-Hadab.
29 January 2010	1340	From a location opposite the Lebanese Army position at Ruwaysat al-Hadab, an Israeli enemy patrol observed Lebanese territory using binoculars.
30 January 2010	1730	From a location opposite Kafr Killa (the Fatima gate), an Israeli enemy soldier photographed and observed the Kafr Killa road.

Date	*Time*	*Sea violations*
2 January 2010	2000	An Israeli enemy military launch directed a searchlight towards Lebanese territorial waters for 10 seconds.
3 January 2010	1910	An Israeli enemy military launch directed a searchlight towards Lebanese territorial waters for 10 seconds.
5 January 2010	2230	An Israeli enemy military launch directed a searchlight for nine seconds towards Lebanese territorial waters and over the Ra's Naqurah position.
7 January 2010	1020	Two Israeli enemy military launches fired a number of rounds and cast explosive charges into the sea in order to warn off a Lebanese fishing vessel that was within Lebanese territorial waters.
9 January 2010	0122	An Israeli enemy military launch directed a searchlight towards Lebanese territorial waters for 30 seconds.
16 January 2010	1020	An Israeli enemy launch cast explosive charges into the sea in order to warn off a Lebanese fishing vessel that was within Lebanese territorial waters.
17 January 2010	0715	An Israeli enemy launch fired a number of rounds and cast explosive charges into the sea in order to warn off a Lebanese fishing vessel that was within Lebanese territorial waters.
	1815	An Israeli enemy military launch directed a searchlight for two minutes towards Lebanese territorial waters and the Lebanese General Security position at Ra's Naqurah.

Date	*Time*	*Sea violations*
	1825	An Israeli enemy military launch directed a searchlight for 20 seconds towards buoy No. 1 and the Lebanese General Security position at Ra's Naqurah.
31 January 2010	0325	An Israeli enemy military launch fired two flare shells over Lebanese territorial waters.

Date	*Time*	*Air violations*
2 January 2010	0607	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1359 hours.
	0625	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over Naqurah and flew north as far as Jazzin. It then circled over the South before leaving at 1805 hours over Naqurah.
	1211	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1222 hours.
	1620	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1752 hours.
	2005	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 2016 hours.
	2019	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 2030 hours.
3 January 2010	1216	Two Israeli enemy warplanes violated Lebanese airspace. They circled over Naqurah before leaving at 1217 hours.
	1325	An Israeli enemy aircraft violated Lebanese airspace. It circled over the South before leaving at 1327 hours.
	1326	An Israeli enemy aircraft violated Lebanese airspace. It circled over the South before leaving at 1328 hours.
	1423	An Israeli enemy aircraft violated Lebanese airspace. It circled over the South before leaving at 1429 hours.
4 January 2010	1743	An Israeli enemy warplane violated Lebanese airspace. It circled over the South before leaving at 1744 hours.
	2010	An Israeli enemy warplane violated Lebanese airspace. It circled over the South before leaving at 2020 hours.
	0645	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah and heading north. It circled over the South and the Bekaa before leaving at 1420 hours over Rumaysh.
5 January 2010	0648	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 0816 hours.

Date	*Time*	*Air violations*
	0649	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah and heading north. It circled over the Bekaa before leaving at 2200 hours over Alma al-Sha'b.
	0652	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 0705 hou
	1117	Two Israeli enemy warplanes violated Lebanese airspace, entering over Aytarun and heading north. They left at 1130 hours over the sea off Tripoli, heading towards Turkey.
	1120	Israeli enemy warplanes violated Lebanese airspace. They circled over the South before leaving at 1744 hours.
	1125	Two Israeli enemy aircraft violated Lebanese airspace. They circled over the South before leaving at 1127 hours.
	1142	Two Israeli enemy warplanes violated Lebanese airspace, entering over the sea to the west of Tripoli and heading south They left at 1135 hours over Kafr Killa.
	1158	Two Israeli enemy warplanes violated Lebanese airspace, entering over Rumaysh and heading north. They circled between Juniyah and the South before leaving at 1325 hours over Kafr Killa.
	1212	Two Israeli enemy aircraft violated Lebanese airspace. They circled over the South before leaving at 1352 hours.
	1215	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1216 hou
	1440	An Israeli enemy aircraft violated Lebanese airspace. It circle over the South before leaving at 1442 hours.
	2050	An Israeli enemy warplane violated Lebanese airspace. It circled over the South for 10 seconds and then left.
	2124	An Israeli enemy aircraft violated Lebanese airspace. It circle over the South before leaving at 2143 hours.
6 January 2010	0706	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1731 hou
	0710	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South before leaving at 2120 hours over Naqurah.
	0754	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1444 hou
	0800	An Israeli enemy reconnaissance aircraft violated Lebanese airspace over Naqurah. It circled over Beirut and the South before leaving at 1500 hours over Naqurah.

Date	Time	Air violations
	0808	An Israeli enemy reconnaissance aircraft violated Leban airspace. It circled over the South before leaving at 1816
	1114	An Israeli enemy reconnaissance aircraft violated Leban airspace. It circled over the South before leaving at 2204
	1435	Two Israeli enemy aircraft violated Lebanese airspace. T circled over the South before leaving at 1436 hours.
	1442	Two Israeli enemy aircraft violated Lebanese airspace. T circled over the South before leaving at 1443 hours.
	1445	Two Israeli enemy aircraft violated Lebanese airspace. T circled over the South before leaving at 1446 hours.
	1455	Two Israeli enemy warplanes violated Lebanese airspace entering over Kafr Killa. They flew as far as Baalbek and returned south before leaving at 1520 hours over Alma al-Sha'b.
6 January 2010	1508	An Israeli enemy aircraft violated Lebanese airspace. It over the South before leaving at 1511 hours.
	1520	Two Israeli enemy warplanes violated Lebanese airspace entering over Kafr Killa. They flew as far as Shikka and returned south before leaving at 1555 hours over Alma al-Sha'b.
	1542	An Israeli enemy aircraft violated Lebanese airspace. It over the South before leaving at 1548 hours.
	1654	An Israeli enemy aircraft violated Lebanese airspace. It over the South before leaving at 1655 hours.
	1840	Israeli enemy warplanes violated Lebanese airspace. The circled over the occupied Shab'a Farms dropping decoy and flare shells before leaving at 1945 hours.
	1925	An Israeli enemy reconnaissance aircraft violated Leban airspace. It circled over the South before leaving at 2359
7 January 2010	0001	An Israeli enemy reconnaissance aircraft violated Leban airspace. It circled over the South before leaving at 0523
	0653	An Israeli enemy reconnaissance aircraft violated Leban airspace. It circled over the South before leaving at 1505
	0707	An Israeli enemy reconnaissance aircraft violated Leban airspace. It circled over the South before leaving at 1731
	0714	An Israeli enemy reconnaissance aircraft violated Leban airspace. It circled over the South before leaving at 1815
	0730	An Israeli enemy reconnaissance aircraft violated Leban airspace, entering over Naqurah and heading north. It cir over the South before leaving at 1525 hours over Rumay

Date	*Time*	*Air violations*
	0905	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 0946 hours.
	0915	Two Israeli enemy aircraft violated Lebanese airspace. They circled over the South before leaving at 0950 hours.
	0920	An Israeli enemy aircraft violated Lebanese airspace. It circled over the South before leaving at 0945 hours.
	0925	An Israeli enemy aircraft violated Lebanese airspace. It circled over the South before leaving at 0927 hours.
	0930	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 0935 hours.
	0936	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 0940 hours.
	1015	Two Israeli enemy aircraft violated Lebanese airspace. They circled over the South before leaving at 1022 hours.
	1016	Two Israeli enemy aircraft violated Lebanese airspace. They circled over the South before leaving at 1031 hours.
7 January 2010	1020	Two Israeli enemy aircraft violated Lebanese airspace. They circled over the South before leaving at 1021 hours.
	1022	Two Israeli enemy aircraft violated Lebanese airspace. They circled over the South before leaving at 1023 hours.
	1025	An Israeli enemy aircraft violated Lebanese airspace. It circled over the South before leaving at 1026 hours.
	1028	Two Israeli enemy aircraft violated Lebanese airspace. They circled over the South before leaving at 1030 hours.
	1029	Two Israeli enemy aircraft violated Lebanese airspace. They circled over the South before leaving at 1031 hours.
	1030	An Israeli enemy aircraft violated Lebanese airspace. It circled over the South before leaving at 1031 hours.
	1108	Two Israeli enemy aircraft violated Lebanese airspace. They circled over the South before leaving at 1112 hours.
	1415	An Israeli enemy aircraft violated Lebanese airspace. It circled over the South before leaving at 1417 hours.
8 January 2010	0001	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 0406 hours.
	0247	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 0306 hours.
	0557	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 0714 hours.

Date	*Time*	*Air violations*
	1110	Israeli enemy warplanes violated Lebanese airspace. They circled over the South before leaving at 1120 hours.
9 January 2010	0708	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1503 hours.
10 January 2010	0926	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1431 hours.
	0932	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1506 hours.
	2035	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 2036 hours.
11 January 2010	0651	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1313 hours.
	0703	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 0930 hours.
	0715	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b and heading north. It circled over the South, the Bekaa and Beirut before leaving at 2300 hours over Naqurah.
21 January 2010	1150	Israeli enemy warplanes violated Lebanese airspace. They circled over the South before leaving at 1155 hours.
25 January 2010	1340	Israeli enemy warplanes violated Lebanese airspace. They circled over the South before leaving at 1345 hours.

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Protracted conflicts in the GUAM area and their implications for international peace, security and development

The situation in the occupied territories of Azerbaijan

Letter dated 1 April 2010 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to draw your attention to ongoing violations of the ceasefire by the military forces of the Republic of Armenia, recorded for the month of February and March 2010 (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda items 14 and 18, and of the Security Council.

(*Signed*) Agshin **Mehdiyev**
Ambassador Extraordinary and Plenipotentiary
Permanent Representative

10-30529 (E) 120410

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Annex to the letter dated 1 April 2010 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

Violations of the ceasefire by the military forces of the Republic of Armenia[1] for the months of February and March 2010

Date	Time	Direction	Fire point area	Used Weapons	Casualties & Damages
1 February	16.30-16.45 20.40-21.10		Mehdili and Jojugmarjanli villages, Jabrayil region, Azerbaijan	Firearm & Machinegun	-
	18.05-18.10		Berkaber village, Ijevan region, Armenia	Firearm & Machinegun	-
	18.05-18.10		Unknown heights, Gazakh region, Azerbaijan	Firearm & Machinegun	-
	21.50-22.15		Unknown heights, Tartar region, Azerbaijan	Firearm & Machinegun	-
2 February	00.40-00.55 02.05-02.20		Ashagi Sayidahmadli and Garkhanbayli villages, Fuzuli region, Azerbaijan	Firearm & Machinegun	-
	00.45-01.10		Unknown heights, Tartar region, Azerbaijan .	Firearm & Machinegun	-
	11.15-11.18 17.30-18.04		Khojavand village, Kurapatkino region, Azerbaijan	Firearm & Machinegun	-
	15.55-16.05		Unknown heights, Goranboy region, Azerbaijan	Firearm & Machinegun	-
	21.15-21.30 22.30-22.45 23.15-23.30		Ashagi Sayidahmadli and Garkhanbayli villages, Fuzuli region, Azerbaijan	Firearm & Machinegun	-

[1] Settlements of the Republic of Azerbaijan included in this information are under the occupation by the Republic of Armenia or close to fire point areas.

3 February	08.30-08.39 08.40-08.45		Mehdili and Jojugmarjanli villages, Jabrayil region, Azerbaijan	Firearm & Machinegun	-
	09.10-09.25 16.00-16.15		Ashagi Sayidahmadli village, Fuzuli region, Azerbaijan Goyarkh village, Tartar region, Azerbaijan	Firearm & Machinegun	-
	20.50-21.10		Gulustan village, Goranboy region, Azerbaijan	Firearm & Machinegun	-
	22.00-22.30		Yusifjanli village, Agdam region, Azerbaijan	Firearm & Machinegun	-
4 February	00.25-00.45		Unknown heights, Khojavand region, Azerbaijan	Firearm & Machinegun	-
8 February	05.20-05.30		Garagashli village, Agdam region, Azerbaijan	Firearm & Machinegun	-
9 February	00.05-00.10		Sarijali village, Agdam region, Azerbaijan	Firearm & Machinegun	-
	23.50-23.55		Yusifjanli and Shurabad villages, Agdam region, Azerbaijan	Firearm & Machinegun	-
10 February	02.30-02.45		Yusifjanli and Shurabad villages, Agdam region, Azerbaijan	Firearm & Machinegun	-
11 February	01.20-01.40		Yarimja village, the Terter region, Azerbaijan	Firearm & Machinegun	-
	21.20-21.25		Kuropatkino village, Khojavand region, Azerbaijan	Firearm & Machinegun	-

	23.10-23.25		Gorgan village, Fuzuli region, Azerbaijan	Firearm & Machinegun	-
	23.10-23.35		Unknown heights, Jabrail region, Azerbaijan	Firearm & Machinegun	-
12 February	06.10-06.20		Kangarli village, Agdam region, Azerbaijan	Firearm & Machinegun	-
14 February	23.45-23.55		Sarijali and Javahirli villages, Agdam region, Azerbaijan	Firearm & Machinegun	-
15 February	00.30-00.45		Sarijali and Javahirli villages, Agdam region, Azerbaijan	Firearm & Machinegun	-
	19.40-20.00		Ashagi Abdurahmanli village, Fuzuli region, Azerbaijan	Firearm & Machinegun	
16 February	02.00-02.15		Yarimja village, Tartar region, Azerbaijan	Firearm & Machinegun	-
	16.25-16.35		Mosegeh village, Berd region, Armenia	Firearm & Machinegun	-
	20.10-20.15 22.00-22.27		Kurapatkino village, Khojavand region, Azerbaijan	Firearm & Machinegun	-
17 February	04.15-04.30		Javahirli village, Agdam region, Azerbaijan	Firearm & Machinegun	-
	11.40-11.45		Kurapatkino village, Khojavand region, Azerbaijan	Firearm & Machinegun	-

	23.20-23.45		Jojugmarjanli and Mehdili villages, Jabrayil region, Azerbaijan	Firearm & Machinegun	-
18 February			Tapqaraqoyunlu village, Goranboy region, Azerbaijan Gizil Oba and Gapanly villages, Terter region, Azerbaijan Yusifjanli and Javashirli villages, Agdam region, Azerbaijan	Firearm & Machinegun	The soldiers of the Azerbaijani army — Mammadov Sahil Novruz oglu, 19, junior praporshik Farajov Royal Tesher oglu, 19, Rustamov David Sultanmuradovich, 19, were killed and soldier Adigezalov Elvin Murad oglu, 20, was injured
19 February	20.05-20.50		Unknown heights, Berd region, Armenia	Firearm & Machinegun	-
	16.40-17.20 19.40-19.50 21.25-21.45		Jojugmarjanli village, Jabrayil region, Azerbaijan	Firearm & Machinegun	-
	23.30-23.50		Unknown heights, Fuzuli region, Azerbaijan	Firearm & Machinegun	-
20 February	00.30-00.45 02.00-02.10		Unknown heights, Fuzuli region, Azerbaijan	Firearm & Machinegun	-
21 February	12.30-12.40		Ashagi Seyidahmadli village, Fuzuli region, Azerbaijan	Firearm & Machinegun	-
	18.30-18.45		Tapgaragoyunlu village, Goranboy region, Azerbaijan	Firearm & Machinegun	-

	23.30-23.55		Jojugmarjanli and Mehdili villages, Jabrayil region, Azerbaijan	Firearm & Machinegun	-
	23.15-23.30		Sarijali village, Agdam region, Azerbaijan	Firearm & Machinegun	-
23 February	14.45-15.10 21.00-21.45		Chilaburt and Yarimja villages, Tartar region, Azerbaijan	Firearm & Machinegun	-
	23.20-23.30		Ashagi Abdulrahmanli village, Fuzuli region, Azerbaijan	Firearm & Machinegun	-
	23.35-23.40		Unknown heights, Jabrayil region, Azerbaijan	Firearm & Machinegun	-
	23.45-23.58		Yusifjanli village, Agdam region, Azerbaijan	Firearm & Machinegun	-
25 February	15.30-16.30		Unknown heights, Berd region, Armenia	Firearm & Machinegun	-
	19.30-19.40		Chinarli village, Azerbaijan	Firearm & Machinegun	-
	19.55-20.15		Chilaburt village, the Tartar region, Azerbaijan	Firearm & Machinegun	-
	20.15-20.35		Ashagi Abdulrahmanli village, Fuzuli region, Azerbaijan	Firearm & Machinegun	-
	15.30-15.45		Mirshanli village, Agdam region, Azerbaijan	Firearm & Machinegun	Civilian population 39-year-old Asif Quliyev was injured

	22.30-22.45		Mehdili village, Jabrayil region, Azerbaijan	Firearm & Machinegun	-
26 February	12.50-13.15		Unknown heights, Fuzuli region, Azerbaijan	Firearm & Machinegun	-
	23.00-23.30		Mehdili village, Jabrayil region, Azerbaijan	Firearm & Machinegun	-
27 February	04.40-04.50		Giziloba village, Tartar region, Azerbaijan	Firearm & Machinegun	-
28 February	22.00-22.25		Mehdili village, Jabrayil region, Azerbaijan	Firearm & Machinegun	-
1 March	10.30-10.40 15.10-15.30 11.20-11.25		Tapgaragoyunlu and Gulustan villages, the Goranboy region, Azerbaijan Mosegekh village, Berd region, Armenia	Firearm & Machinegun	-
	19.00-19.05		Unknown heights, Berd region, Armenia	Firearm & Machinegun	-
	16.15-16.25		Yusifjanli village, Agdam region, Azerbaijan Jojugmarjanli village, Jabrayil region, Azerbaijan	Firearm & Machinegun	-
	20.20-20.30		Tagibayli village, Agdam region, Azerbaijan	Firearm & Machinegun	-

	22.30-22.45 23.45-00.00		Ashagi Abdulrahmanli village, Fuzuli region, Azerbaijan	Firearm & Machinegun	-
3 March	23.05-23.15		Ashaghi Abdulrahmanli village, Fizuli region, Azerbaijan	Firearm & Machinegun	-
	23.30-23.45 18.30-18.35		Unknown heights, Jabrayil region, Azerbaijan	Firearm & Machinegun	-
	02.50-03.15		Kangarli and Sarijali villages, Agdam region, Azerbaijan	Firearm & Machinegun	-
	02.50-03.45		Goyarkh village, Taratar region, Azerbaijan	Firearm & Machinegun	-
4 March	18.20-18.25		Yusifjanli village, Agdam region, Azerbaijan	Firearm & Machinegun	-
5 March	19.05-19.10		Berdavan village, Noyanberyan region, Armenia		
	13.50-14.15		Tapgaragoyunlu village, Goranboy region, Azerbaijan	Firearm & Machinegun	-
	19.00-19.05		Unknown heights, Gazakh region, Azerbaijan	Firearm & Machinegun	-
8 March	13.50-14.20		Krasnoselskaya region, Armenia	Firearm & Machinegun	-
	12.40-12.45 14.23-14.38		Tapgaragoyunlu village, Goranboy region, Azerbaijan	Firearm & Machinegun	-
9 March	20.15-20.20		Kangarli village, Agdam region, Azerbaijan	Firearm & Machinegun	-

	20.00-20.40		Mehdili village, Jabrayil region, Azerbaijan	Firearm & Machinegun	-
	20.40-20.55		Ashagi Abdulrahmanli village, Fuzuli region, Azerbaijan	Firearm & Machinegun	-
10 March	11.45-12.30		Mosesgeh village, Berd region, Armenia	Firearm & Machinegun	-
	19.20-19.30		Ashagi Askipara village, Gazakh region, Azerbaijan	Firearm & Machinegun	-
	23.00-23.15		Voskepar village, Noyanberyan region, Armenia Unknown heights, Jabrayil region, Azerbaijan	Firearm & Machinegun	-
11 March	00.10-00.15		Unknown heights, Tartar region, Azerbaijan	Firearm & Machinegun	-
	18.30-18.45		Marzili village, Agdam region, Azerbaijan	Firearm & Machinegun	-
	20.25-20.35		Unknown heights, Fizuli region, Azerbaijan	Firearm & Machinegun	-
14 March	10.10-10.35		Chilabort village, Terter region, Azerbaijan	Firearm & Machinegun	-
	20.30-20.45		Shuraabad village, Agdam region, Azerbaijan	Firearm & Machinegun	-
15 March	22.00-22.10		Gizil Oba village, Terter region, Azerbaijan	Firearm & Machinegun	-

16 March	16.30-16.35		Marzili village, Agdam region, Azerbaijan	Firearm & Machinegun	-
17 March	07.35-07.45		Unknown heights, Tartar region, Azerbaijan	Firearm & Machinegun	-
	Around 18.00		Bash Garvand village, Agdam region, Azerbaijan	Firearm & Machinegun	The soldier of Azerbaijani army Aliyev Mustafa Aslan was wounded
	18.00-18.20		Unknown heights, Noemberian region, Armenia	Firearm & Machinegun	-
	23.30-23.35		Unknown heights, Khojavand region, Azerbaijan	Firearm & Machinegun	-
21 March	19.50-20.35 21.30-22.15		Gizil Oba and Yarymdzha villages, Tartar region, Azerbaijan	Firearm & Machinegun	-
22 March	13.35-14.00		Gulustan and Tapqaraqoyunlu villages, Goranboy region, Azerbaijan	Firearm & Machinegun	-
	13.35-14.00		Talish village, Tartar region, Azerbaijan		
23 March	08.00-08.20		Chilabort village, Terter region, Azerbaijan	Firearm& Machinegun	-
	13.45-14.00		Gulustan village, Goranboy region, Azerbaijan	Firearm & Machinegun	-
24 March	21.25-21.50		Kangarli village, Agdam region, Azerbaijan	Firearm & Machinegun	-
25 March	04.20-04.40		Chilaburt village, Tartar region, Azerbaijan	Firearm & Machinegun	-

	19.10-19.20		Mosesgeh village, Berd region, Armenia		
	21.02-21.12		Yusifjanli village, Agdam region, Azerbaijan		
26 March	01.15-01.45 02.40-03.05		Unknown heights, Khojavand region Goyarch and Seysulan villages, Terter region, Azerbaijan	Firearm & Machinegun	-
28 March	17.00-17.15		Mehdli village, Jabrayil region, Azerbaijan	Firearm & Machinegun	-
	22.55-23.35		Tagibayli and Kangarli villages, Agdam region, Azerbaijan		
29 March	00.10-00.20		Tagibayli and Kangarli villages, Agdam region, Azerbaijan	Firearm & Machinegun	-
	19.20-19.50		Unknown heights and Tapgaragoyunlu village, Goranboy region, Azerbaijan		
	23.50-00.10		Mehdili village, Jabrayil region, Azerbaijan	Firearm & Machinegun	-
30 March	19.20-19.50		Unknown heights and Tapgaragoyunlu village, Goranboy region, Azerbaijan	Firearm & Machinegun	-

	23.50-00.10		Mehdili village, Jabrayil region, Azerbaijan	Firearm & Machinegun	-
31 March	18.35-18.40		Berkaber village, Ijevan region, Armenia	Firearm & Machinegun	-
	11.45-11.55		Gulustan village, Goranboy region, Azerbaijan	Firearm & Machinegun	-